1:Barnes E-5 (1946-1949) 1954 FRS Ngoni FRS
Mpezeni

captives were retained within the segment. In later years, at least, small-scale raiding organized by segment heads went on without the Paramount Chief's knowledge and it seems unlikely under those conditions that captives would have been sent in to him.

There is confirmatory evidence from other Ngoni groups. Hodgson wrote of the Dowa group that a warrior who had captured three or more people had one returned to him by the chief,[3] from which we may infer that they were at the disposal of the chief. For the Southern Ngoni, who are not so closely related to the Fort Jameson group as are those in northern Nyasaland and Dowa District, Read wrote that the Paramount Chief had a monopoly of slaves taken in war and that he distributed these to successful warriors, his wives and his relatives.[4]

Cattle were handled in much the same way as captives. There was a dogma that all cattle belonged to the Paramount Chief, but they were dispersed among the different villages and kept in the byres there. The lord of a major segment had effective control of the cattle in his own village and, when he chose to exercise it, in the other villages of his segment as well. When the Paramount Chief visited a village, cattle were killed in his honour and he was praised as the giver of the feast, but in the chief's absence the head of the village decided when beasts were to be killed. A lord appointed his lieutenants to look after his cattle as well as his people. When cattle had been taken on a raid, they were driven back to Ngoniland and then allocated to a lord.

Cattle for bridewealth were provided for a man by his lord. However it seems possible that a large proportion of the marriages made by politically unimportant people were not ratified by the passage of cattle.[5]

Such evidence as there is suggests that the Ngoni consumed their cattle faster than many similar cattle people and, as with dependants, they captured cattle more than they reared them. People speak of the days before the conquest as a time when they lived entirely on meat and beer. Poole suggests that the Ngoni produced little or no food in their own country,[6] and while this is plainly contradicted by contemporary evidence, it is probable that they did rely on raiding to supplement their supplies of cattle and cereals, and that therefore many captured cattle were used as food. Thus cattle themselves were a short-term asset and the control of

[3] Hodgson, 'Dowa District', p. 153.
[4] Read, 'Standards of Living', p. 80.
[5] cf. Barnes, *Marriage*, pp. 7-8.
[6] Poole, 'Human geography of Lundazi and Petauke', p. 13.

CHAPTER III

NGONI CULTURE

Among the mixed ethnic elements in the Ngoni kingdoms the ruling aristocracy were those whose ancestors were of Swazi and trans-Zambesi origin, and whose clan descent names established them as belonging to the true Ngoni group. The families with these clan names formed also a social aristocracy in the villages where they lived, in the areas of the chiefs and abenumzane, and in the Ngoni kingdoms. This social status, established primarily by the clan name, was visible in the position of the huts in the village, arranged at the head of the kraal, in the leading role played by the senior members of these families on all ceremonial occasions, and in the practice of a number of customs which were defined as Ngoni. Ngoni culture, as seen in social and ritual life, was a series of interwoven patterns of social organization and social behaviour. We shall outline these patterns here in order to bring together many of the forms and practices described in the rest of the book. In a more homogeneous society it would have been possible to find in these patterns a consistent and clearly defined culture. Yet one of the main problems in studying Ngoni culture in the 1930's was that there were many variations of each pattern and the anthropologist was all the time trying to find out what degree of cultural conformity existed among the Ngoni aristocracy. Of the different aspects of culture reviewed in this chapter, the ritual pattern was the one most consistently followed, and it was the one in which the Ngoni social aristocracy most clearly demonstrated that they had a distinctive common culture which was found in both kingdoms and in the secession states.

(a) *Kinship pattern*

Like the South-eastern Bantu from whom they came the Ngoni were patrilineal in descent and inheritance. Marriage was negotiated by go-betweens and concluded through the handing over of cattle, and the term *lobola* was used for the cattle exchanged in this form of marriage. An Ngoni woman married by this form was known as *ndobolazi*. A strict interpretation in the courts was given to this form of marriage as it affected the ownership and custody of the children. The children of a *lobola* marriage contract belonged to their father and could be claimed by him if the marriage broke up, or on the death of their mother. Traditionally, virilocal residence was an Ngoni custom, and it was supported by the house system whereby the male members of each house formed a group with economic interests in common through the joint ownership of the cattle in the name of the house. A widespread variant

recognition of the Paramount's supremacy were therefore the main traditional forces uting the mixed populations in the kingdoms.

Ngonisociety

Although all people living n the Ngoni kingdoms were subjects of the Paramount, nly those who could trace their descent from families who rossed the Zambezi River were recognised as 'true Ngoni'. Fur main characteristics marked off this true Ngoni group fm the rest. The first was their clan name, giving them an authentic origin south of the Zambezi. The second was a marriage contract sealed by handing over cattle, whichestablished the offspring as 'children of their fathers', or, as they said, 'where the children are, the cattle are to'. The third was patrilineal descent and inheritance though the male line, and patrilocal residence at marriage,so that the wife came as a 'stranger' to her husband's people and village. The fourth was membership of a 'house', the social group of male members of Ngoni families with their wives and children round a leading woman. Everyone was born into a 'house' and the men remained in it or life, the women until their marriage. For special reasons children could be adopted into another house than the one into which they were born.

In a few of the smaller villges of North Nyasaland, consisting of ten to fifteen huts,all the men were true Ngoni, descendants of one or moreformer warriors in the same regiment, who had chosen tmet up their own villages after the British had taken over th country. In such villages the cultural pattern of Ngoni lifcould be seen clearly, but they were not typical of the Ngon kingdoms. There was always a mixture of peoples in the irger villages, dominated by a group of true Ngoni families.

This group of true Ngon families were the social and cultural aristocracy of these vllages. They considered themselves superior to and distinctfrom the other ethnic elements

3: Read E-5 (1935-1939) 1960
FRS Ngoni FRS

or thirteen, the girls began to take part in *ngoma* dances with the boys. This was on a village basis and organized with a view to competition with other villages. In practising such dancing, as we shall see later, the girls were often by themselves, though when getting ready for a competition they joined with the boys' group.

The Ngoni girls' circle was to some extent split into the households to which the girls belonged. There was no common residence or common eating-place for all the group, to correspond with the boys' dormitory and eating together at the kraal gate. Generally the girls continued to eat in their mothers' compound with their own younger brothers and sisters. They sometimes ate with the widowed aunt or grandmother with whom they slept, but the other practice was more common. This meant that Ngoni girls who bore the clan name of their father continued to live in the compound of their mother who might not be of a high-ranking Ngoni clan. In such cases the grandmother and the father's elder sister kept a sharp eye on the training and deportment of the girl.

The Ngoni girls' circle was an exclusive group. Unlike the dormitory where all village boys mixed up, the Ngoni girls, in virtue of bearing their father's clan name, tended to remain as a distinctive group. They were members of their father's house until they married; and when that took place it was they who could cause cattle to flow into the herd belonging to that house. It was partly for this reason, the transfer of cattle, that the Ngoni women of that house, particularly the grandmother, watched closely the bringing up of the girls from the second teeth stage onward. If she thought the training of the girl was unsatisfactory, because of the carelessness or doubtful character of the girl's own mother, the grandmother might discuss with the girl's father the advisability of arranging for the girl to be adopted into another household or into a collateral house. The reason for this was that when marriage negotiations began and the prospective parents-in-law made inquiries about the girl's character and

3: Read E-5 (1935-1939) 1960
FR5 Ngoni FR5

given to giggling and putting their head on one side when asked questions. They took their school work seriously in order to show that they, the Ngoni girls, were the intelligent ones. They were also aware that the number of cattle to be transferred at their marriage would be greater according to whether they finished school in Standard II, III, IV, or even VI.

Apart from going to school, which was only for the daughters of relatively forward-looking Ngoni fathers, the girls continued to take part in the daily routine of the household. They and their companions, according to their growth and strength and pleasure, did a little pounding, fetching water, grinding grain, roasting ground-nuts. In a large household, where there were many helpers, the daughters of the family only did as much as they felt inclined of the domestic chores. As they said: 'It was like our play.' They spent more time with the young children, or washing themselves and their clothes by the stream. Combing and dressing their hair, rubbing fat or oil on their skin, threading beads, plaiting grass or fibres, learning how to make Ngoni bead designs for head bands or wristlets—all these formed the lighter and more amusing side of the daily routine.

From among the girls in this exclusive and protected girls' circle, Ngoni girls chose a particular friend, whom they always addressed as 'my friend', even if she were a classificatory sister or cousin. As with the boys in the dormitory this friend was a confidante to whom a girl could talk freely about her life in the compound, her likes and dislikes among the other girls and women, her ideas about suitors and marriage. The friend was always from another compound and of a leading Ngoni clan. The two friends made bracelets and necklets for each other, and went to bathe in the stream together. Sometimes the friendship lasted until the girls were married and separated. At times it broke up suddenly in a violent quarrel. There was however a curious tenacity about these friendship pacts, and they were more often maintained

3: Read E-5 (1935-1939) 1960
FR5 Ngoni FR5

behaviour especially to elders, and to enforce by dramatic and sometimes brutal means a submissive attitude towards authority. That objective, as we have seen, was carried out by the Ngoni throughout their training of their children, from the earliest age upwards. They were half amused and half scandalised at the idea that young people had to be put in a camp in the bush in order to teach them how to behave.

Cultural changes in the assumption of adult roles

It is necessary to look back for a moment to the Ngoni past in order to see how changed external conditions in Nyasaland had altered the sequences and the timing of the process by which youths and young girls were recognised as adults. The stages of arriving at social maturity had been speeded up by cultural changes. In the days of warfare the senior herd-boys, from about twenty years of age, were called up at irregular intervals to form a new regiment. From this time they were known as 'young men' or 'youths', and they fought in the tribal wars for five years. In the off-season, during the rains when raids were not carried out, they were called to clear and cultivate the gardens of the Paramount and chiefs, and to help build houses and fence cattle kraals. At approximately the age of twenty-six to twenty-eight they were ordered to take the head-ring, the form of dressing the hair which formerly marked a married Ngoni man, and they were told they could marry and retire from the army. The older Ngoni declared that young men were not allowed to sleep with girls at all until they joined the army. Even then the relationship had to be initiated by the girl expressing her preference for a lover, and then sex relations were limited to partial intercourse. It was at marriage, after having been given the head-ring, that Ngoni youths were called 'men'. They moved out of the dormitory and built a hut for their wives in the area behind the huts belonging to their father's house. The cattle handed over on their marriage to the bride's family were taken from the herd belonging to that house.

3: Read E-5 (1935-1939)1960
FRS Ngoni FRS

The cessation of warfare, the coming of schools and of a money economy, the urge to find wage-earning work and the opportunities offered by the labour recruiters to emigrate —these were a series of events which radically altered the prospects and outlook of young men. The effect of schooling, if taken seriously, and most Ngoni fathers saw that their sons at least attended regularly, was to equip boys of sixteen or seventeen or even younger to go and get wage-earning jobs. This urge to earn money, in addition to meeting demands for taxes, was strengthened because the cattle to be handed over at marriage had now to be bought from other herds, or at least eventually replaced by purchase, instead of, as formerly, being captured in war. The young men therefore felt that earning money was essential, and finding a job was regarded as a sign of manhood in much the same way as joining a regiment had been. After warfare ceased, and taking the heading was given up as a mark of full manhood and mature status, there was no longer any prohibition on marriage until a certain age had been reached. The limiting factors in the age of marriage became economic ones instead of military and social ones. Young men whose fathers were able to provide the cattle for the marriage transfer, were able to marry from the age of about eighteen upwards, build huts for their wives, escape from living a bachelor existence in the dormitory, and then go off and find work by emigrating, if no wages which they considered adequate were to be earned in the neighbourhood. These young men then could emerge from the group known as 'youths' at any age from eighteen upwards as soon as they married. If they left the village to find work before they married, they left from and returned to the dormitory, and were still known as youths. Their emigration after marriage, usually after the wife was pregnant and they had 'put a child in the hut', presented the picture familiar in areas such as Enkodlweni of villages almost stripped of their young men, and of young wives living alone in their huts among their husband's relations. The practice of

3: Read E-S (1935-1939)1960
FR Ngoni FRS

584 a strenuous endurance, during which they of them earned the name which stuck to her ever afterwards of 'the biting spider'. Considerations in choosing a mate, both for youths and girls, were not only influenced by the Ngoni desire, especially strong among the senior people, for linking Ngoni clans and families together by marriage. The high proportion of young people, boys especially, who had been to school and were Christian, weighed the scale in favour of an educated Christian wife or husband. As always, however, the factor of personal liking was very strong. Attraction first, and then liking based on further acquaintance, was held as most important by the youths and girls themselves. It was partly the question of the transfer of cattle to seal the marriage contract which inclined the young men to listen to the advice of their elders, for they were dependent on them, at least in the first instance, for providing the cattle.

[583]

The other direction in which social control operated in relations between the sexes was in the forms of courtship tolerated and permitted. In pre-European days, and for a long time after the missions came, the age of marriage was, as we have seen, postponed for many years after puberty. In those days there was a recognized and socially accepted pattern of sexual freedom before marriage, which we have already mentioned. A girl could indicate to a young man, who had recently joined a regiment, and had shown in various ways that he was attracted by her, that she was willing to take him as a lover. Often this relationship led eventually to marriage between the two, but it was not always the case. These two slept together from time to time in the dormitory, practising limited intercourse. The fear of being deflowered and still more of being pregnant before marriage acted as a very strong deterrent to the girls not to let the young man, in the Ngoni phrase, 'harm her in any way'. If this occurred the girls knew they would have no pre-marriage rite and no full public wedding ceremony, and this would bring shame not only on them but on their father's family and house.

[599]

3: Read E-5 (1935-1939) 1969
FR5 Ngoni FR5

Maize, the Ngoni staple cereal which had replaced the tall millet they had formerly preferred, was stored on the cob in the grain stores which were described in Chapter IV. Women whose husbands could afford to hire labour to work in their fields often had three or four large grain stores, and their presence in the compound conferred importance on their owners. Inside the hut were earthenware jars of beans, cowpeas, bulrush millet, clarified fat and butter, dried chillies, while from the rafters hung bunches of herbs and dried green spinach. Some of the jars were polished a shining black, others had a blue or green glaze on them. It was a Ngoni girl's ambition to go to her new home when married with a good array of storage pots, baskets, mats, spoons, stirring sticks, and a wooden meat-dish. This would show her in-laws that she was industrious and intended to have a high standard of household management in her new home.

251 [262] [556] [485] [323] 583 577

Varieties of food and their preparation

Ngoni women prided themselves on feeding their households well, both in variety, quantity and quality. Although they could rely on helpers to work in the gardens and to do some of the preparing of food before cooking, they always managed their own supplies and provided a variety of menus, and showed that they could cook well themselves and instruct others.

511 577 [357]

Ngoni girls clustered round the fire when a special dish was being prepared. They watched every movement of their mother as she lifted one pot off the fire and put another on, measured out water in a spoon to add to the sauce, stirred the maize porridge strongly and evenly to get rid of lumps and bubbles, washed each stirring stick in a pot of water before using it again.

252 868

There was variety in the dishes served from day to day in big Ngoni households, usually in the form of a main dish of cereal with side dishes of broth and vegetables and less often of meat or chicken. The main dish was served in the

262 [415]

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

new wife to replace the divorced woman. Divorce however seems to have been rare, and in the genealogies I collected I met with only one instance of divorce at this period.

3. *Payments and ceremonies*

Betrothal[9] was a preliminary to marriage but was not compulsory. A girl was betrothed only if she was sought in marriage before puberty and the marriage then did not take place until some years after puberty. If a girl passed puberty without being betrothed she was subsequently married without a betrothal period. A man was expected to make presents to the girl he had betrothed and he began to adopt avoidance relationships towards her parents. If after puberty the girl or her parents wished to break off the engagement they could do so but were then under an obligation to return the man's presents. The ceremony at which an aristocratic girl after puberty chose her own husband has been described by Wilson.[10]

In the marriage itself there are two main stages marked by two distinct transfers of cattle. The first transfer was called 'snuff-box', *mfuko*. The name of the payment is based on the practice of begging snuff from one's friends and acquaintances and indicates something trifling and not recoverable. It consisted of one beast. Payment of 'snuff-box' established the man's rights to bring an action against an adulterer but it did not give him the right to take his wife away to his own village nor to the custody of any children she might bear him. Those rights were obtained only by the payment of bride-wealth, *malowolo*,[11] which consisted of from one to a dozen beasts depending on the status of the woman's father. Both payments, 'snuff-box' and bridewealth, were made by the man or, if he was a young man, by his father to his wife's father. No specifically defined relatives were obliged to help a man find his marriage cattle but a man with few cattle of his own looked for assistance to the head of his cluster. Similarly there were no definite rules of distribution of the marriage cattle among the woman's relatives and the matter

[9] The verb is *ku-komoka* for a man, and the passive *ku-komokwa* for a woman. Cf. Bemba *ubu-kolwe* and *ubu-kolelwe* in Richards, *Bemba Marriage and Present Economic Conditions* (Rhodes-Livingstone Papers, No. Four), p. 61.

[10] In his later paper he calls the ceremony *inyemwale*. In the earlier paper he calls the ceremony held at first menstruation *inkemwale* and says that after this ceremony the girl went with others to choose the man she liked. The vernacular words he mentions are presumably connected with the modern Nyanja *cinamwali*, which is now sometimes applied to three ceremonies held (1) at first menstruation, (2) six months later, *cinamwali cacinaya*, and (3) after first pregnancy, *cinamwali cacikulu*. The abstract noun *unamwali* is sometimes used in place of the concrete *cinamwali*. Cf. Wilson, op. cit., 'Expedição . . .', p. 473, and 'Geschichte . . .', p. 191; Rattray, op. cit. pp. 182 and 190; Stigand, 'Notes on the natives of Nyasaland, N.E. Rhodesia, and Portuguese Zambesia, their arts, customs and modes of subsistence', *JRAI*, xxxvii (1907), p. 121; Read, 'Tradition and prestige among the Ngoni', *Africa*, ix (1936), p. 472; Young and Banda, *Our African Way of Life*, pp. 22-4.

[11] Cf. the Zulu verb *uku-lobola*; also Rattray, op. cit. p. 199.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

583 was left to the discretion of her father. 'Snuff-box' was handed over before the man began to sleep with his bride while bridewealth could be paid either then or later after the woman had borne children. Once bridewealth had been paid the rights of the man's group were definitely established and, in the event of the man's death, one of his younger brothers became the widow's pro-husband in leviratic marriage.

583 851 The significance of bridewealth is clearly indicated by the procedure followed in marriages in which it was not paid. If a man paid 'snuff-box' and then died before he paid bridewealth, the children of the marriage belonged to his wife's kinsmen and not to his kinsmen. His brothers could secure the woman as the wife of one of them, and the children as legitimate members of their segment, by payment of bridewealth. It is said that a woman could refuse to go to a brother of her dead husband under these conditions but that she could not refuse to give up the children to the husband's kinsman who paid bridewealth. If although bridewealth had been paid she went off and married another unrelated man the children she bore to her new husband belonged to her dead husband's kin.

583 Some informants say that if a man died without having paid bridewealth his sons were under an obligation to pay cattle to their mother's kin on behalf of their dead father, but I did not hear of any instance in which this had been done. Similarly it is said that if a man had paid bridewealth but had never been given a linked co-wife, his son could claim a wife from the kin of the woman for whom bridewealth had been handed over. Other informants deny this possibility, and say that it was the man's son's son who could have made this claim. I did not hear of any instances of either practice in the past and when recently a chief tried to claim a wife on the strength of bridewealth offered by his father, he failed.

Important men sometimes married female captives and no bridewealth passed. These wives were usually not of high status and their sons founded lines junior to those of sons by other wives for whom bridewealth had been paid.

583 183 The general impression gained from the tales of old informants and from the contemporary literature is that 'snuff-box' and bridewealth were paid in most marriages. The evidence, such as it is, from a survey of the marriages experienced since birth by men and women alive in 1946-9 suggests that this was not so. The way in which this survey was conducted is described below.[13] The information on pre-1898 marriages is set out in Tables I and II.

It will be seen that in half (7 out of 14) of these marriages, no payments at all were offered. In the marriage in which 'snuff-box' was offered it consisted not of a beast but of a quantity of tobacco. In about a third of the marriages the only payment made was the 'legalization payment', which traditionally was not part of the pre-1898

[13] See pp. 221.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

marriage system. We shall discuss the legalization payment at some length in the succeeding chapters, for it is the most important of all the payments made in modern marriage. A possible explanation of its occurrence in these early marriages is that although the marriages themselves were made before 1898, the payments were made considerably later. The amounts alleged to have been handed over as legalization payments may have been regarded as 'snuff-box' at the time of payment although they are now referred to as legalization payments, either because of the general obsolescence of the term 'snuff-box' or because my informants thought I would know the new term and not the old one. Another possibility is that even before 1898 the vernacular term for legalization payment (*cimalo*) was in use as a synonym for 'snuff-box'. The term itself was certainly in use among neighbouring tribes before 1898.

This is a very small sample from which to draw any conclusions, but it is of value in suggesting where the reality of social life differed

Table I. Pre-1898 marriage payments: incidence

Payments made	Number of marriages
'Snuff-box' only	1
Bridewealth only	1
Legalization payment only	5
None	7
Total	14
Not known if any payments were made or not	4
Grand total	18
In this sample there were no pre-1898 marriages in which more than one kind of payment was made	

Table II. Pre-1898 marriage payments; magnitude

Payment	Magnitude	Number of marriages
'Snuff-box'	Handful of tobacco	1
Bridewealth	8 beasts	1
Legalization payment	1 beast	2
	1 chicken	1
	Cloth	1
	Not known	1
	Total	5

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

from the recollections of informants and the accounts of contemporary writers. Even in a society as rapidly expanding as was the Ngoni before 1898, the majority of the population at any one time consists of people who are politically unimportant. What were remembered and what was recorded at the time were the marriages of leaders and their close relatives. It is they, more than others, who were distinctively Ngoni, and it was by their actions that the values of Ngoni society were emphasized and developed. Their marriages were important in maintaining tribal solidarity and it is the system exemplified in these marriages that we have been describing. But the recent captives, the poor, the unsuccessful warriors, the junior sons of junior sons, they also married and their marriages were at least as numerous as those of their more fortunate brethren, despite the large bands of wives acquired by successful men.

The data in our sample provide suggestions as to both the relative frequency of marriage without payment and the kind of relationship that held between payment and status of spouse. The eight cattle were offered by one of Mpezeni's senior lieutenants as bridewealth for the daughter of a man of Nsenga origin. Two junior sons of this lieutenant each offered a beast as legalization payment for a wife, one of whom was the daughter of a divisional head. A legalization payment of unknown magnitude was made in a marriage between a village headman and a daughter of another of Mpezeni's senior lieutenants. These four marriages we may regard as important marriages between people of high status accompanied by marriage payments which usually were substantial. Among persons of low status we find that in six out of the seven marriages in which no payment was made, one or both of the spouses had been captured. Intermediately we have the remaining two marriages in which the legalization payment was made and the one in which 'snuff-box' was paid, all involving people of low or middle status and accompanied by relatively small payments, namely a chicken, some cloth, and tobacco. This positive correlation between status and payment holds for thirteen out of the fourteen marriages, but one marriage without payment was between one of the same junior sons of the lieutenant and the daughter of a man of Kalanga origin.

From such evidence as there is, it seems probable that marriages between people of high status were usually accompanied by substantial payments. At the same time, many of the marriages of people of low status and some of the unimportant marriages of men of high status took place without payments. What proportion of the total these marriages accounted for we cannot now ever hope to know. However since they amount to half of our pre-1898 sample it seems probable that they constituted a considerable fraction of all the marriages contracted at that time.

The payment of 'snuff-box' and bridewealth were the crucial events establishing a marriage, but there were a number of other transfers of beer and cattle, and a number of ceremonies without

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

606 591 593 Wiese suggests that the woman only gradually transferred her place of residence from her father's village to that of her husband.[10] If the husband and wife quarrelled, the woman ran away to her father's village for protection, and had to be persuaded to return by her husband. It is difficult to find out if there was any obligation on the man to labour for his father-in-law. Such an obligation exists to-day, but informants like to maintain that in the past the Ngoni never troubled themselves with agriculture, but lived entirely on beer, meat, and raided crops. But we know from contemporary writers that they did have gardens, although they may perhaps have been cultivated only by recent captives and by women.

583 941

An important obligation on the man was to avoid his wife's mother. He did not speak to her, went off into the bush if he met her on a path, and did not pass in front of her hut. With his father-in-law he was formal and reserved, but he did speak to him. These patterns were established at betrothal, and with the passage of years were gradually set aside. The final ceremony in which the man ate with his mother-in-law was the social recognition of his successful performance of the role of son-in-law and of husband to their daughter. Even after this ceremony he could not sit on the same mat as his mother-in-law. The position of the woman in respect to her parents-in-law was much easier, and she did not avoid them or their hut.

581 602 As a result of these formal and informal modes of interaction between the man's group and the woman's group, links of affinity were established which cut across the residential system, with its chains of authority and responsibility, superordination and subordination. The common interest of persons bound together by these links was the success of the marriage, and the well-being of the children. A quarrel between a man and his wife led to processes of discussion, deliberation and conciliation involving the two groups. The children of the marriage grew up knowing not only where they belonged politically, but also where they were welcome as sister's sons and daughter's sons. Some children were sent to the father's mother to be reared, some to the mother's mother. The pregnancies of the woman were reported to her own relatives as well as to her husband's.

658

It is impossible to tell to what extent people consciously planned their marriages and the marriages of their children with the object of ramifying their affinal ties. But we do know that a wife who had been brought from a long way off was regarded more highly than one who came from the same village as her husband, and that a woman who married her cross-cousin was, other things being equal, lower in status than her husband's unrelated other wives. These gradations in status suggest that the value of a marriage which established a link between a man and some hitherto unconnected

554

[10] Wiese, op. cit. 'Expedição . . .', p. 473, and 'Geschichte . . .', pp. 191-2

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

band one or more of his lieutenants and other dependent families. Thus the band of wives formed the core round which the sub-segments of the husband's residential segment were built up. Each band was associated with a distinct cluster of huts, although not every cluster of huts had a band of wives living in it. The division of wives into bands was only one of the processes by which the segmentation of clusters was carried on.

Each linked co-wife lived in the band of her barren senior although occasionally a linked co-wife was promoted and made head of her own band. The children of a linked co-wife were spoken of as being born in the house of her senior, but here the word 'house' (*ng'anda*) was used only in a figurative sense.[21] Where it was necessary to contrast the children of the wives of one band with the children of another, they were called the children of the head of the band. Less frequently all a man's children by his several wives were referred to as the children of the house of his great wife.

It seems that more trouble was taken to obtain a linked co-wife for a barren great wife or head of a band than for a junior wife. A great wife needed children to ratify her position in the hierarchy of co-wives, and to establish a line of descendents senior to the lines springing from her subordinates. Barrenness was the principal reason for seeking a linked co-wife but it is said that if a man had pleased his wife's father, a linked co-wife might be given spontaneously by his father-in-law as a mark of his esteem. When a wife grew old and needed domestic help a linked co-wife was sometimes given to her although she might have borne many children. A man was under an obligation to offer one beast[22] to his wife's father when he received a linked co-wife.

The children of a linked co-wife ranked immediately after the children by her senior, if there were any. They inherited the property allocated to her hut and belonged to the segment founded by her.

7. The levirate

The custom of linking co-wives was sometimes a kind of sororal polygyny and sometimes a variety of sororate. We may see it as a device for establishing and maintaining the residential segment potentially founded by the senior co-wife when she married her husband. Similarly we may look on the levirate as a way of ensuring that the fertility of the woman still remained attached to that same segment even after the death of her husband. A widow lived in leviratic marriage with her husband's younger brother who became

[21] Compare the similar use of the word 'house' among the Zulu and 'room' among the Tallensi. Cf. Hoernlé, 'Social organization' in *The Bantu-speaking Tribes of South Africa*, p. 78, and Fortes, *The Dynamics of Clanship among the Tallensi*, pp. 198 sqq.

[22] Called variously *mceka* or *mtoso*. *Mceka* is an Nsenga word meaning a small cloth worn round the waist by women. The allusion is to the labour pains felt by the mother of the new bride which were eased by binding her waist with a cloth. *Mtoso* has the same meaning in the old Ngoni language.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni
Maravi FR4
Wisa FQ5

her by her parents, but the general rule is that people seek their own partners. Certain rules have to be considered by whoever is trying to arrange the match. These determine which marriages are regarded as incestuous, and which marriages are preferred. The kinship relationship, age, ethnic group, and religion of the partner all have to be considered. With the passing of the regimental system, considerations of State no longer affect choice of marriage partner, except for near relatives of the chiefs.

A man may not marry anyone whom he addresses with a kinship term belonging to the first ascending or the first descending generation. This prohibits marriage between ego and his *mothers, fathers, mothers, brothers, affines*, and *children*.[1] In his own generation he cannot marry his *child's parents-in-law* and he cannot marry any *sibling* who is not a *cross-cousin*. In the second ascending and descending generation a man may address his female *grandparent* and his female *grandchild* as *wife*, and he can, to a slight extent, joke and refer in general terms to sexual activities in their presence. But Ngoni regard it as a typical Cewa custom for a man actually to marry his female *grandchild*, and do not approve of such marriages among their own people. A man may fondle the breasts of his grandmother and suggest in the company of others at a beer drink that his granddaughter should marry him, but that is as far as this joking goes.

A man is entitled, and to some extent expected, to flirt with his female *cross-cousins*. We have noted above that the Nguni peoples from whom the leaders of the Ngoni kingdom were drawn did not allow cross-cousin marriage. By contrast the Cewa and Wisa peoples, who were captured in large numbers from about 1870 on, came from societies in which local organization was based on bilateral intra-village cross-cousin marriage. In villages where there are now many people claiming Cewa and Wisa descent there are many instances of cross-cousin marriage. This form of marriage is by no means confined to people of low ethnic status, and even the Paramount Chief has married classificatory cross-cousins. In the aristocratic families it is sometimes suggested that an important man might marry a cross-cousin while still young and unable to muster a large marriage payment and then later marry an unrelated woman as his great wife. No distinction is made between marriage with father's sister's daughter and with mother's brother's daughter. The somewhat equivocal attitude towards cross-cousin marriage is seen in the conflicting statements of informants about payments in cross-cousin marriages. Some say that no payments ought to be made, for are they not all one family (*banja*). If payments were made it would mean that the family had split. Others say that payments can and ought to be made and that provided the cross-

[1] For the definition of these terms, see Barnes, op. cit. pp. 222 ff

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni
Maravi FR4

cousin comes from another village she can become the great wife. This lack of consensus about the appropriateness of payments may be due to the difference between the traditional views of the Nguni aristocrats and of their more recent captives. The Nguni tribes, although not allowing cross-cousin marriage, did require transfers of marriage cattle. In contrast to them, the Cewa and others who approved of cross-cousin marriages did not make large marriage payments. It may be that neither view has prevailed over the other among the present-day Ngoni.

When I began my inquiries into marriage I hoped to express numerically the frequencies with which people married their cross-cousins and other relatives. As my inquiries proceeded, it became clear that this was not the simple matter I had thought it to be. There was little consistency in the way in which the word *mvyala*, which I have translated as cross-cousin, was used by different informants. Sometimes one spouse would say that the other was a cross-cousin and the other would deny it. In addition to the expected use of the term to refer to father's own or classificatory sister's child, and to mother's own or classificatory brother's child, it was also used for 'person with a parent with the same descent-name as mine', 'person from the same tribe', 'person with the same captor', and so on. Some informants regarded the alleged cross-cousin relationship as a primary one that could not necessarily be broken down into a series of links between parents and children and between siblings. If pressed, informants would often say in explanation 'One of us came from the side of the man and the other from the side of the woman'; yet they would be unable to decide who came from the man's side and who from the woman's. This complexity of reference of the term for cross-cousin applies to a lesser extent to the terms for other relatives with whom marriage takes place. In view of the lack of consensus and of the large number of possible referents of single vernacular terms, I have thought it best to postpone publication of any frequencies until later, when I hope to deal with the general problem of inter-connectedness between local groups of kin.

We have mentioned above the prohibitions against marrying certain relatives and the partial encouragement to marry a cross-cousin. In addition, a man should not marry his brother's wife's sister, and some people say that a man ought not to marry his sister's husband's sister. Both these women he calls *sibling-in-law*. These are not exactly definite prohibitions, but rather pieces of traditional advice. Marriage with these relatives does occur. No specific reason was given for this prohibition, but I noticed that a quarrel in one marriage tended to have repercussions in the marriages of the spouses' siblings, and the objection to these types of marriage may be based on some consideration of this kind.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni
Mar9VI FR4

Case history 1

Amos[1] was married to Eve and wished to offer bridewealth for her. Amos's father prevented him, saying that the marriage of Amos's sister with Eve's father's son had not yet proved a success and and he did not want at this stage to bind himself any further to Eve's kinsfolk.

There are no exogamous clans among the Ngoni but sometimes an agnatic lineage has a distinctive descent-name, giving it the appearance of an exogamous clan. Kinship terms are used within the lineage and members may not marry one another. As, however, descent is not usually traced, either actually or putatively, beyond the grandparents of adults these exogamous groupings are small and do not persist in time.

Tribal preferences are not marked. In the past the Ngoni were prepared to capture and incorporate into their society anyone who came in their path. At the same time there was an association of South-Eastern Bantu origin with high rank, although this was never developed into a rigid system of ethnic ranking. Nowadays Ngoni live in the midst of people from other tribes, in the adjacent reserves, on the tobacco farms, in Fort Jameson township and at the urban centres. A man may sometimes be ridiculed if he marries a Cewa girl but many men do so, particularly if they live in Cewa-speaking villages under Ngoni chiefs. Wealthy Cewa men from Cewa chiefdoms who wish to bequeath their property to their sons sometimes marry Ngoni women and offer bridewealth for them, hoping thereby to prevent their sister's sons disputing the inheritance. There are many men on farms and in the township coming from distant areas whose tribe may be uncertain or unknown but who manage to marry Ngoni girls. The only strong antagonism is against the Nyasaland Yao. Yao find it difficult to marry into aristocratic Ngoni families and even when they do their rights are never certain. The Yao are regarded by the Ngoni as clever sorcerers and are thought to have an excess of sexual vigour.

A few women become the concubines of European or Indian men. Such unions lack much of the substance of marriage, although the man sometimes makes a present to the woman's relatives which is interpreted as a marriage payment. These men are not usually concerned with establishing the validity of the marriage, if marriage it is. They cannot take action against their wives in the Native Courts, nor can they hope for redress in the Administration's courts. Although the Administration assists women to secure maintenance of the children, it does not recognize these unions as legal marriages. In vernacular speech they are referred to as marriages and, despite the protestations in recent years of more sophisticated Africans, these women are not despised in the rural areas. A woman who

[1] All personal names in this paper are fictitious. I have used Biblical names as these are common among the Ngoni. Where an individual is mentioned in more than one case history I have retained the same fictitious name throughout.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

one instance where the woman ran off with the man called in by her sterile husband.

4. The legal relationship

Emphasis on sexual partnership is characteristic of the beginning of marriage. Young people are 'foolish', dance all night long and sleep late in the morning. With the arrival of children, man and wife emerge from the tutelage of their elders and non-sexual aspects of their marriage relationship gain in importance. Even then the importance of sexual satisfaction is not forgotten. People say openly of a woman who obstructs her husband when he seeks a second wife, 'She is too fond of his penis', and old widows explain their failure to remarry by saying 'Our joints are too stiff to copulate'.

Nevertheless at all times there is a great deal more in Ngoni marriage than mere sexual partnership. The obligations and duties of husband and wife towards each other and each other's kin are determined by the marriage payments and ratified by the ceremonies of marriage. These obligations persist despite the fluctuations of sexual attraction. We have seen that in 'the time of peace' the two principal transfers were 'snuff-box' and bridewealth. Today the position is different and the rights transferred by the marriage payments are different. For simplicity we may discuss the latter payment first. Bridewealth is still recognized but, as can be seen from Table V, is paid in only about four per cent of all marriages. It consists of a payment of one or more beasts or £6 made by the man to his wife's father.[16] If only one cow is offered and it dies before calving, it must be replaced. Some indication of the range of variation in amounts paid is given by Table VI.

This sample of only twelve payments is very small, but there is some indication that the amount paid has decreased in recent years. This is of interest in view of the general rise in the standard of wealth and in the amount offered as legalization payment.

By the payment of bridewealth a man ensures that all the children of his wife, by whatever genitor, shall, or rather ought to, belong to his group of relatives and live in his village when they grow up. The payment is made only after several children have been born. In the old days, if this payment was made, the children were legitimate and lived in their father's segment, and if it was not paid they could be claimed by their mother's father's segment. In these days there is no such hard and fast rule. Everyone has in effect a large choice of places where he can live, and the payment or non-payment of bridewealth for his mother is only one factor operating with many others in influencing his decisions. It is not surprising that so few people pay bridewealth.

[16] For comparative figures for the Ngoni of Southern Nyasaland, see Read, 'Native standards of living and African cultural change', *Africa* xi (1938), 3, supplement, p. 33.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5 1
Mpezeni

583 586 Bridewealth is not often returned. A man does not usually consider offering the payment until he is fairly sure that his marriage is a stable and happy one, with little likelihood of divorce. Divorce is more the time for paying bridewealth than for taking it back. If a man has had children by a wife whom he later divorces, then,

Table V. Incidence of bridewealth, by decades

583 178

Bridewealth	Date of marriage									Total
	1878–87	1888–97	1898–1907	1908–17	1918–27	1928–37	1938–47	1948–49	Not known	
Offered and accepted ..	–	1	2	2	3	2	2	–	–	12
Offered but refused ..	–	–	–	1	–	–	–	–	–	1
Not offered ..	1	12	26	53	61	56	113	17	8	347
Total	1	13	28	56	64	58	115	17	8	360
Ratio of offers to total number	0%	8%	7%	5%	5%	3%	2%	0%	—	4%
Not known if offer was made or accepted ..	1	3	6	6	12	11	18	7	2	66
Grand total ..	2	16	34	62	76	69	133	24	10	426

Informants as in Table VIII

Table VI. Magnitude of bridewealth, by decades

Amount paid	Date of marriage								Total
	1878–87	1888–97	1898–1907	1908–17	1918–27	1928–37	1938–47	1948–9	
Beasts: 1 ..	—	—	—	1	1	2	1	—	5
2 ..	—	—	—	—	1	—	—	—	1
3 ..	—	—	1	—	1	—	—	—	2
6 ..	—	—	1	—	—	—	—	—	1
8 ..	—	1	—	—	—	—	—	—	1
£8 ..	—	—	1	—	—	—	1	—	2
Total ..	0	1	2	2	3	2	2	0	12

Informants as in Table VIII

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

unless he has paid bridewealth, the children will go to her relatives, whatever the cause of the divorce and whichever party is at fault. He can then offer bridewealth to secure custody of the children at the same time as he loses the services of his wife.

Bridewealth to-day is almost entirely concerned with the custody of children of the marriage and does not affect the rights of a man in his wife. These rights are determined by a payment which probably did not exist in the old marriage system and which we may call the legalization payment.[17] This payment is now the most important in marriage and is the only one recorded on the printed marriage certificates issued by the Administration through the Native Authorities. The Ngoni believe that the word has been taken from the Cewa, although the Cewa use the word differently. A law was made in about 1944 by the Ngoni chiefs fixing the amount of the legalization payment at a minimum of thirty shillings. Prior to this edict smaller amounts were more usual. The way in which the magnitude of the payment has varied through time can be seen from Table VII. Some people do not follow the law and pay less than thirty shillings; the majority pay the legal amount, in some areas thirty-five shillings is more usual, and recently a few fathers have successfully demanded much higher sums, up to £10, for their daughters. The edict implied that at least thirty shillings should be offered in every marriage, but marriages have been and still are being contracted without any legalization payment, as can be seen from Table VIII. However, from this table it appears that in the last twelve years legalization payments have been offered in a greater proportion of marriages than previously.

The most important right established by this payment is that to damages in the event of adultery. If a man has made the legalization payment he is sure that when his wife commits adultery the court will order both the woman and her lover to pay him damages. Adultery suits are the commonest heard in court and the legalization payment clearly establishes the fact that the man and woman are married in the eyes of the law. If the first payment a man makes is bridewealth, the legalization payment falls away, and he gains the exclusive right of sexual access to his wife without any further payment. In this respect we can see a carry-over from the old system in which bridewealth followed after 'snuff-box', and adultery was punishable by death. Usually if bridewealth is paid in a subsisting marriage, it comes after the legalization payment and is additional to it. The one payment relates to the custody of the children, the other to the sexual services of the woman. We have noted that bridewealth can be offered on the occasion of divorce when perhaps no legalization payment has ever been made.

[17] *Cimalo.* Cf. Young, *Notes on the customs and folk-lore of the Tumbuka-Kamanga peoples*, p. 61; Coxhead, *The Native tribes of North-Eastern Rhodesia; their laws and customs* (Occasional Papers No. Five, Royal Anthropological Institute), p. 25; Barnes, op. cit. p. 227

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

583 The third payment we have to consider in modern marriage is 'snuff-box', and this nowadays is not important. The word is used in two senses. It may be an alternative name for the legaliza-

Table VII. Magnitude of legalization payment, by decades

583
198

Amount paid	Date of marriage									Total
	1878–87	1888–97	1898–1907	1908–17	1918–27	1928–37	1938–47	1948–9	Not known	
Beads	—	—	—	1	—	1	—	—	—	2
Cloth	—	1	5	3	—	—	—	—	—	9
A chicken	—	1	1	4	—	—	—	—	—	6
Sheep:										
1	—	—	—	2	1	1	—	—	—	4
3	—	—	1	—	—	—	—	—	—	1
Goats:										
1	—	—	—	9	6	3	1	—	—	19
2	—	—	—	2	1	—	—	—	—	3
A beast	—	2	—	3	1	3	2	—	—	11
Total non-monetary payments	0	4	7	24	9	8	3	0	0	55
1s.	—	—	1	2	1	—	1	—	—	5
2s.	—	—	1	—	1	—	1	—	—	3
2s. 6d.	—	—	1	—	—	2	—	—	—	3
3s.	—	—	—	1	2	—	1	—	—	4
4s.	—	—	—	—	3	—	2	—	—	5
5s.	—	—	2	1	4	2	2	—	—	11
6s.	—	—	—	1	2	2	—	—	—	5
7s.	—	—	—	—	1	—	—	—	—	1
7s. 6d.	—	—	—	—	—	—	1	—	—	1
9s.	—	—	—	—	—	2	—	—	—	2
10s.	—	—	1	2	5	4	8	—	1	21
12s.	—	—	—	—	1	—	—	—	1	2
15s.	—	—	—	1	—	—	—	—	—	1
£1	—	—	1	—	2	2	4	—	1	10
£1. 10s.	—	—	1	1	1	4	49	8	—	64
£2	—	—	—	1	—	1	5	—	—	7
£2. 5s.	—	—	—	—	—	—	—	1	—	1
£3	—	—	—	—	—	1	1	3	—	5
£3. 10s.	—	—	—	—	—	—	2	1	—	3

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

£4	—	—	—	—	—	1	1	—	—	2
£5	—	—	—	—	—	—	1	—	—	1
£6	—	—	—	—	1	—	1	—	—	2
Total monetary payments	0	0	8	10	24	21	80	13	3	159
Unknown	1	—	—	—	—	1	—	—	—	2
Grand total	1	4	15	34	33	30	83	13	3	216
Median value of monetary payments	—	—	5*s.*	8*s.*	6*s.*	10*s.*	£1.10*s.*	£1.10*s.*	—	£1.10*s.*
Arithmetic-means	—	—	9*s.* 6*d.*	12*s.*	13*s.*	20*s.*	29*s.*6*d.*	41*s.*	14*s.*	24*s.*6*d.*

Informants as in Table VIII

tion payment, where the payment is made in kind, that is, one beast, and not in money. This is a straightforward continuation of the old usage, for we have seen that it was by the payment of 'snuff-box', consisting of one beast, that a man established his exclusive sexual rights over his wife. Nowadays few people offer a beast as legalization payment. The word can be used in another sense to indicate any small present made by the man to the wife's father at the beginning of the marriage negotiations, as an indication that he intends to make the proper and more substantial legalization payment later on. A present of this kind is not recoverable, and consists of a shilling, a half-crown, a chicken, tobacco or a cloth. It conveys no rights at all.[18]

The legalization payment by no means completely transfers the woman to her husband's group. Her kinsfolk retain an active interest in her welfare, and are her refuge from her husband's wrath. They intervene to preserve the marriage when otherwise it would end in hatred and divorce. The husband must see that they are formally told whenever his wife becomes pregnant, and if she dies

[18] These small presents are also called *camulomo*, or *cavulamulomo*, literally in Nsenga, 'the thing of opening a lip'.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

583 in childbirth the husband is held to be responsible at least in part. He must pay one cow[10] to the dead woman's kin to appease them. 593 It is said that if bridewealth has been paid the man need not pay another beast, but that the woman's relatives would take a beast from the bridewealth and kill that in order to mourn their kinswoman.

593 The separation of interest that continues even after a marriage has been contracted is demonstrated by the payments which husband and wife are required to make to each other. Although they use many things in common, their possessions are thought of as belonging either to the one or the other. A man may own chickens, although his wife looks after them for him, while a woman may own a beast and let her husband care for it. If husband and wife quarrel the one who apologizes may offer a chicken to the other to make peace. These payments are in part enforced by public opinion

Table VIII. Incidence of legalization payment, by decades

583 178

Legalization payment	Date of marriage									Total
	1878-87	1888-97	1898-1907	1908-17	1918-27	1928-37	1938-47	1948-9	Not known	
Offered and accepted ..	1	4	15	34	33	30	83	13	3	216
Offered but refused	–	–	–	1	–	1	3	–	–	5
Not offered ..	–	9	12	21	29	27	30	3	4	135
Total	1	13	27	56	62	58	116	16	7	356
Ratio of offers to total number ..	100%	31%	56%	63%	53%	53%	74%	81%	—	62%
Not known if offer was made or accepted ..	1	3	7	6	14	11	17	8	3	70
Grand total ..	2	16	34	62	76	69	133	24	10	426

124 Informants

	Used	Potential	% Used
Men	122	135	90·4
Women	232	251	92·4
Total	354	386	91·7

Number of marriages in which both partners were informants 122

[10] Called *mulumo*, from the Nsenga verb, *ku-luma*, to bite or chew. The corresponding payment among the Cewa is said to be called *mtupa* or *nthupa*. Cf. Young, op. cit., p. 62.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

has the money to do so. Sometimes a wife brings her husband to court seeking damages from him for cruelty without asking for a divorce.

The woman who pleads for divorce on the ground of desertion is usually the wife of a labour migrant. Her struggle is not with her husband himself but with her affines, his kinsfolk who try to protect his interests for him while he is away. We shall consider this type of situation in the next chapter, where we deal with the relationship between a woman and her husband's kin. Here it will suffice to say that provided the man has been away for about four years without writing the divorce is usually granted.

Actions for adultery are always liable to turn into divorce cases, and the amount of damages awarded depends on whether or not a divorce is granted. If adultery is proved, and it is easier to prove than to disprove it, the woman and her lover each pay 30s. to the husband and 5s. fine to the court. If the woman is divorced on the ground of the adultery, the damages are increased to £3 each to the husband and 10s. each to the court. In court the woman is usually asked 'Which man do you love?' and if she selects her lover, the divorce is granted. Sometimes the husband protests that he wants his wife back, but if the court is persuaded that to send the woman back would only lead to more trouble, they will divorce the woman despite the protests of the husband.

When divorce is granted the legalization payment, if it has been made, should be returned. The court does not, however, make any definite order on this point unless called upon to do so by the man or his relatives, and it seems that in the absence of definite instructions to hand over the money, it is retained by the woman's relatives. This is particularly true when the divorce is on the ground of the man's desertion when it is likely that his interests will be poorly represented by his relatives.

If the husband has brought his wife to court in order to divorce her on some ground other than adultery, the court may merely tell the couple that they are divorced, without awarding damages to either party. But the law on this point appears to be changing, and the rule followed in one court is not always followed in another. Even in the same court the decisions given at one time may conflict with those given at another. If the court decides that the woman is at fault she may be ordered to pay £3 damages to her husband. If the man is at fault then, more rarely, the man is ordered to pay £3 damages to his wife. Occasionally, although the fault is held to lie with the man, the woman is ordered to pay £3 damages to secure her divorce. The factors influencing these decisions appear to be the readiness of any particular court to listen to the pleas of a woman, and its opinion of the character of the woman. A woman who is regarded as foolish, or given to quarrelling over nothing, or promiscuous, is sometimes ordered to pay damages to her husband

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

586 692 562 although the evidence presented during the hearing of the case has established the husband's fault as the ground for divorce.

Only if there is dispute over the matter will the court make an order about the division of crops. The principles of division are 586 that the crops belong to those who worked hard to grow them and that the children of the marriage have to be fed by the parent with whom they live, whoever may eventually have their custody. Thus in a case in which a woman successfully pleaded for divorce because of her husband's cruelty, the court awarded all the crops in the couple's garden to the husband, as the woman had been lazy and had done only a little towards their cultivation.

Bridewealth is not automatically returned on divorce and as we [583] have seen, divorce is the time for paying bridewealth rather than for retrieving it. The disposal of the children of a divorced couple is regarded as a separate issue and to be treated on its own merits.

[128] It is useful to have some quantitive estimate of divorce frequency, but the construction of a satisfactory measure is not easy. One aspect of the occurrence of divorce is presented in Tables IX and X, where the number of divorces experienced by wedded men and women of different ages is set out.

It will be seen that, considering only those wedded men and women whose divorces are known, the mean number of divorces per head of wedded population is 0·49 (51/104) for men and 0·30 (62/210) for women. This difference may be due in part to a greater reluctance on the part of women to admit to divorce, but is also due to the greater mobility of men. While women stay at home, their husbands go off to marry in the towns, divorcing their urban wives when they return home or when the strange rural environment proves intolerable to the women from the towns.

581 586 By considering the number of years that marriages have lasted, it is possible to say what is the mean duration of marriage. The necessary information was available for 403 marriages extant as well as completed, experienced by men and women who were resident in the sample villages. The mean duration of all these marriages is 15·6 years, and the mean duration of the marriages that ended in divorce is 6·6 years. The median duration of all marriages is, to the nearest year, 8 years, and of marriages ended in divorce, 5 years. More divorces occurred in the period from four-and-a-half years to five-and-a-half years after marriage than in any other similar one-year period.[25]

128 For comparison with other societies, we can express as a ratio the relationship between the number of marriages that ended in divorce and the number that did not or have not yet done so. This can be done in three ways, as set out in Table XI.

[25] There is no space here to give the method by which these calculations were made, but see my 'Measures of divorce frequency in simple Societies' *Journal of the Royal Anthropological Institute*, LXXIX (1949) (pp. 37-62).

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

595 polygyny, and punish their members who take additional wives,
794 there are still a number of Christian polygynists who for most purposes align themselves with the Christian group.

As in the old days, the wives of a polygynist are ranked in the
595 chronological order of marriage, the first wife married being the
178 great wife. If, however, bridewealth has been paid, the wives married
[583] in this way are all senior to those who are married without it. The arrangement by which a barren or aged wife was given a linked co-wife (*nshanzi*) has now almost disappeared. A young girl may still be indicated as a linked co-wife designate at the gall bladder ceremony of her kinswoman and the intestines placed round her neck, but this is now a mere ceremonial, and the girl marries elsewhere when she grows up. As mentioned above a chief negotiated recently for a linked co-wife on the strength of bridewealth paid by his father, but with no success.

593 A man makes his headquarters in his great wife's hut, and keeps
595 his possessions and money in it. During the day it is considered proper that he should sit and chat or entertain visitors on the verandah of her hut. Her hut is likely to be of better design than those of her co-wives, and she is more likely than they to have a separate kitchen. When her husband returns from a journey, he ought to go first to her hut, and if he has brought back goods from Southern Rhodesia, it is in her house that he stores his loads until he has time to divide them among his wives and relatives. A visitor from afar goes first to the great wife's hut and there asks for the man he is seeking. In her husband's absence it is she who must entertain the visitor. This pattern of precedence is followed to greater or lesser extent despite quarrels between husband and wife, and is not affected by where the husband actually sleeps at night.

Apart from this emphasis on the importance of the great wife, the
595 correct behaviour for a man with many wives is impartiality. He must sleep with each wife in rotation, usually for a week at a time, and must not confide in one wife the secrets of his relationship to another. Relationships between co-wives are sometimes strained, and one may use medicines against the others. The medicine[28]
[830] believed to prevent a man from achieving erection with anyone other than the woman who gives it to him is sometimes used by one wife against another. On the other hand, some co-wives help each other in their gardens and many polygynists' households run smoothly. Each wife has her own hut and her own garden and it is possible for them to arrange their affairs so that they can co-operate or act separately as they find best. If they persistently quarrel
[591] their husband may deem it well for them to live in separate villages, so that for example a man may live virilocally with his great wife and uxorilocally with his second wife, going from one village to the

[28] Possibly known as *ndamanga*. The details of this medicine are not known by many men, and I was unable to question any women on this matter.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

married women chosen for them by their kinsfolk while they were away during the 1939-45 war. If the woman selected for him by one relative is unsatisfactory, a man may turn to another relative for help, as is shown in the following incident.

Case history 5

Ahab, a young man of about twenty, was working in Fort Jameson. He wrote to his father in the village enclosing money for the legalization payment, asking that his father should find him a wife. His father spoke to a friend living in another village who had an unmarried daughter. The friend agreed that his daughter should marry Ahab, but the girl said that she wanted to see Ahab before making up her mind about him. Ahab was told of the arrangement but refused to agree to it, saying that he knew that the girl chosen was a prostitute.

Ahab then asked a classificatory grandmother to find him a wife. This woman found a girl and when Ahab came home from work he and a friend went for a walk to the girl's village to spy her out. The friend, on seeing the girl, advised Ahab against marrying her and the negotiations again fell through.

Ahab asked his grandmother to try again and this time he approved of the girl selected. The legalization payment was made and the girl came to live in Ahab's village with his grandmother. After a week or so, she was taken by the grandmother and other important women of the village into the township to start living with Ahab.

On the other hand a man may desist from marrying the girl of his choice in the face of parental opposition. For example, the first girl that Amos found for himself was opposed by his father because her father was a sorcerer; the second on the ground that her parents were unreliable and that she was a cross-cousin, a point against her in that Amos's brother had married a cross-cousin and the marriage was not a success; only with the third choice did the father agree to his marriage.

The initiative in arranging a marriage lies with the man and his kin rather than with the woman, and a girl who goes too much out of her way to attract a husband risks her reputation and may be regarded as a potential prostitute. On elopement, it is the woman who runs off to the man's village or to his place of work, and it might be expected that her relatives would initiate action to bring her back or to claim damages for abduction. Sometimes a man does take action against the lover with whom his daughter has run away, and the lover pays a beast. Another man, however, may take no steps to follow his runaway daughter, merely refusing to recognize the existence of any marriage between her and her lover, and sometimes denying any knowledge of the lover's name. If the woman shows no sign of returning to her own village, efforts may be made to bring her children back to her parents to be brought up. Sometimes a man who has eloped with a woman later approaches her parents, apologizes for his precipitate action and makes them gifts, after which they may decide to recognize him as a son-in-law.

If a man shows his intention of marrying despite the disapproval of his close kin, they can retaliate by not helping him financially,

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5 Mpezeni

584 by not visiting him, by refusing his presents of beer, and even by refusing to speak to him. Provided the man can find the money for the legalization payment himself, they cannot prevent the money from being handed over. The woman's kin are in rather a
584 different position for they can try to prevent her from marrying
583 against their wish by refusing to accept the legalization payment. It will be seen from Table VIII that this happened in four per cent (5/135) of the marriages in our sample. The woman's father may sometimes think the sum offered is too small and may refuse to accept until it is increased. The man can either give way and offer the larger sum or, if he thinks the demand is excessive or beyond his resources, he may start living with her without any legalization payment at all. He is then not so sure of his rights over his wife as he would be otherwise and his wife's parents may try to break up the marriage. Should quarrels lead to a divorce it will be easier to obtain because of the absence of payments.

583 The woman's relatives may, however, refuse to accept the offered
586 legalization payment irrespective of the amount. They do this if they feel that the marriage has no chance at all of success, either because of the unsatisfactory character of the man or of the well-established unreliability of their kinswoman. By refusing the payment they hope to protect themselves against the call for damages which they feel sure is bound to come when their daughter commits adultery and her husband wants to divorce her. Even at the monetary level the amount they are likely to get as legalization payment is only thirty shillings while the damages they will be called upon to find will be three pounds. If, however, no legalization payment has been made, then the divorce should be granted without the award of damages against the woman. Thus her relatives protect themselves financially by refusing the payment, but at the same time by so doing they are trying to avoid trouble in the group of kin and quarrels with their newly-found affines. If a man before making his legalization payment shows himself to be unsuitable as a husband, or if it is plain that his wife will not be satisfactory to him, her kin will not put any pressure on him to pay and begin to hope that the marriage will end before too much trouble ensues. If the payment is made, some of the woman's relatives may refuse any part of it offered to them, hoping thereby to avoid future financial responsibility for her adultery.

Case history 6

Job works in the township and had two wives. He then married the girl Rebecca. She lived with him in town for a month or two and then Job sent her back to her village to be taught to cook properly. Her mother's mother remarked 'Ever since she reached puberty we told Rebecca she must learn to cook properly but she took no notice. The other wives of Job often laugh at her.' Her mother's mother's elder sister said 'It is a good thing for us that we did not accept any legalization payment from this man.' A month or so later the marriage broke up and Rebecca was divorced.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

Where a woman has already troubled her relatives by her adultery, they may try to avoid further expense by refusing the legalization payment offered for her.

Case history 7

Rachel had had two husbands and had been divorced from them both. She had also lived with a White for some years. In 1946 she began to live with Esau, who already had three wives. In 1948 Esau approached an important man in Rachel's village and asked him to act as intermediary as he wished to offer the legalization payment to Rachel's brother. This man refused to do so, and in the end Esau approached his brother-in-law himself. The brother-in-law said that he had known his sister Rachel a long time and she was just a prostitute. He would not take the money for her. Esau said he would speak to his wife and ask her to change her character. Eventually the brother-in-law agreed to accept the thirty shillings offered.

Although the kinsfolk of the man or woman can exercise social pressure to prevent a marriage it is difficult for them to force a girl to marry against her will, and impossible in the case of a man. We have noted that in the old days, according to informants, people married whom they were told and did not refuse. Even if this was ever true, it is true no longer. A man can move off to the towns in the face of pressure and a woman can always run away to other relatives if her parents are insistent on an unwanted marriage. The Administration does not allow girls to be married against their will, but I do not know of any recent instance in which it has intervened on this issue. A girl's relatives can show their anger by abusing her and by scaring off her own preferred mate, but they cannot detain her against her will and they cannot force her to go through the ceremonies of marriage. They cannot appeal to the court to punish the girl for disobedience.

In some instances pressure is put on a man by a woman's kin to force him into marrying her. If a woman bears a pre-marital child, and it is known that the genitor is an important man or chief, her kinsfolk begin to adopt towards the genitor's family the patterns of respect and avoidance which would be appropriate if he were their affine. This procedure may be adopted although it is plain to people in general that the genitor has no intention of marrying the woman. If it is unsuccessful in forcing the hand of the genitor, the formal attitudes of the woman's kinsfolk come to be generally ridiculed and they abandon the pretence.

So far we have considered only the attitude of kinsfolk towards a proposed marriage and the legalization payment associated with it. The factors influencing the acceptance or refusal of bridewealth are different. Bridewealth, when offered, is not often refused. Table V shows that in our sample this happened in only one out of 360 marriages. We must remember that bridewealth is paid only in about four per cent of all marriages, and that a man is usually on good terms with his affines and has lived in peace for many years with his wife before he offers it. A youngish man may seek the

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

583 approval of his father before he offers, and as in the case of Amos and Eve (p. 28), the father may sometimes disapprove. If the man is from another part of the territory or from abroad the parents of
583 the woman, even if they accept the legalization payment, may be
603 reluctant to allow their grandchildren to go a long way away from them to live among their son-in-law's kin. This consideration applies
593 particularly to strangers in the township who marry Ngoni women. When they leave their jobs or retire they try to take their wives and children with them. They may be frustrated in the removal of their children by the woman's parents, who refuse the bridewealth. The courts support the claims of Ngoni grandparents for the retention of their grandchildren under these conditions and a returning Yao or Cipeta man may be forced to travel without his children and sometimes without his wife. I have recorded elsewhere [1] an incident in which a Yao man who had been married to an Ngoni woman for twenty-one years was divorced by her and his offer of bridewealth refused by her parents. The police who check the movements of women and children by bus and lorry away from Fort Jameson are in touch with the Native Courts and may be on the look out if it seems likely that a man from a strange tribe will attempt to smuggle his wife and children away from their Ngoni kin.

581 Thus we see that the kinsfolk are directly concerned with marriage. When the children are still toddlers, they are paired off in fun by their
[858] adult relatives as they sit playing. For a week or month or even longer a woman will laughingly call her neighbour *child's parent-in-law* because their children have been nominated *husband* and *wife* in this way. As a child grows older, so the interest of its relatives in its marriage become clearer. Before marriage the relatives of a
684 girl hold rights in her that are violated if she is seduced and bears
848 a child. It is to them that the girl's lover pays the beast of seduction to recompense them for the wrong he has done by impregnating the girl, but he does not gain custody of the child. On the other hand,
836 no one brings a case against a man merely because he sleeps with an unmarried girl. It is only when she becomes pregnant that an action can be laid against him. A man caught *in flagrante delicto* by one of the unmarried girl's kin can expect abuse and possibly blows but unless he is provocative he need not fear action in the courts. The hostility directed towards him seems to be due in part to his having behaved so indiscreetly as to be caught and having forced the girl's kin to take cognizance of what was happening.

At marriage the woman's kin grant rights in her sexual activities
581 to her husband. These rights are unambiguously transferred by the
583 legalization payment, and the woman's kin are therefore in a position to delay or facilitate the tranfser of these rights by their attitude towards the payment. There is no corresponding right in an unmarried man held by his kin, and at marriage there is no corres-

[1] Barnes, op. cit. p. 238

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

ponding payment through which they can attempt to control the relationship between the couple. Yet both groups of kin are interested in the successful outcome of the marriage, and therefore attempt to influence the choice of marriage partner.

3. Formal interaction

In the formal negotiations that precede a marriage, and in the ceremonies that mark its stages of development, the kinsfolk are always involved. The married couple depend on their kin for economic assistance, and are under obligations to help their kin. The place of residence of the couple is determined by the disposition of their kin in different villages. If the man is a labour migrant his interests are represented by his rural kinsfolk. In general it is the fathers of the couple who are most directly concerned, if they are available, but in all Ngoni situations in which a man (or woman) appeals to his kin for support there are no hard and fast rules about the genealogical positions his supporters should occupy. If a man's father is old he turns to his elder brother. If his genealogically close kinsmen live far away, he turns to those who live nearer although they may be further removed from him in genealogical terms. If there is no male kinsman available he may seek the support of an old kinswoman.

The formal situations which require the co-operation of kinsfolk are the matchmaking, the gall bladder ceremony (which we may perhaps regard as the wedding), the ceremony of first cooking, the hoeing party, the announcement of first pregnancy, the carrying of beer and the entry into the wife's mother's hut. Betrothal is another formal situation requiring the presence of the woman's kin, but as nowadays very few girls are betrothed, we shall omit this from our analysis. It will be recalled that even in the old days betrothal applied only to girls under puberty and that a girl who reached puberty without becoming betrothed proceeded to marriage without passing through any intermediate stage. The matchmaking, at which the marriage is arranged, is carried on in a formal manner but there is little ceremonial. The carrying of beer is a visit from one group to the other that can be repeated as many times as they wish, but all the other ceremonies occur but once in a marriage, if they occur at all. The hoeing party has a certain economic value but the other ceremonies are largely symbolic in content. As with the marriage payments, the marriage ceremonials can all be dispensed with and yet there be a marriage which to all intents and purposes is valid. What cannot be omitted so easily from a marriage are the patterns of respect and avoidance between the couple and their affines, particularly between a man and his wife's mother. Even here, however, there is some variation in practice.

The usual procedure in matchmaking is that first the man and the woman agree between themselves that they will get married. They reach this agreement in secret without reference to their kinsfolk

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

584 or friends. If the man is away working or in the Army he may make his proposal by letter. When agreement has been reached negotiations can proceed although they are carried on as if there had been no prior agreement and the proposal was entirely a new one.

A man tells his eldest brother of his intention to marry, or, if he is the eldest son, he may approach his father direct. He does not [593] speak to his mother about this matter, for a man does not confide in his mother about anything connected with sex, but she is told [603] of his intention by her husband. A man ought to tell his grandmother at an early stage, particularly the grandmother who reared him. A woman tells her sisters and her grandmother, and her eldest sister will tell her eldest brother. The man's father or eldest brother may decide on who shall act as intermediaries in the matchmaking, or else the man may himself ask important people in the village to act. There is no definite rule as to who they should be, and either men or women or both may make up the party. Usually two or three people go, and a man will try and choose people who are reliable and sober and tactful. Marriage intermediaries do not have the same important responsibilities for the marriage as do the marriage [191] sureties (or witnesses) among the Nyanja and Yao although they are known by the same term.[8] The intermediaries go to the woman's village and consult her senior relatives. Traditionally they should go to the woman's grandmother, either her father's mother or her mother's mother, depending on who lives in the village and who is the more important. They tell her that they have heard that such-and-such a marriage has been contemplated. The girl's grandmother tells the girl's father that the intermediaries have come, and if nothing has arisen to jeopardize the marriage, the visiting party are told that all is well and that they must come back again. They return to their own village, and the next day, or the next week if it is a long way to walk, they go again, bringing with them a gift or sometimes the legalization payment. The gift or money is handed to the [583] person leading the negotiations on the woman's side who passes it on to the woman's father. Arrangements are made about the gall bladder ceremony and a date fixed. The intermediaries then go back to their village.

585 At the gall bladder ceremony the bride receives formal advice [591] from her affines and the people in their village. Shortly afterwards she begins to live with her husband in either his or her village. If they live virilocally she does not at first cook for her husband, but the couple rely on food prepared by his other wives or his mother or [593] grandmother. It may be up to a year later that the woman first cooks for her husband and husband's father, the latter commenting on her cooking. When she first becomes pregnant she is anointed 843 by her husband's grandmother, and goes with a young girl from her husband's kinsfolk to announce her pregnancy to her own kin.

[8] *Nkhoswe.*

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

606 good man behaves towards his father-in-law with obedience and respect, and that he is rewarded by the gifts of beer sent to his father by his wife's father. If these gifts are not made, then the man must be 'bad' or his father-in-law 'fierce' or 'cruel'.

581 829 There is one type of marriage in which none of these ceremonies are performed. This is what is known as the 'poorly fixed marriage'* which lies on the borderland between marriage and concubinage. People do not expect a 'poorly fixed' marriage to last long, and this expectation is based more on their estimation of the characters of the couple involved than on a consideration of the absence of marriage ceremonies and payments. If a couple, who have shown by their general behaviour that they are fickle and quarrelsome, begin to live together without going through any of the formalities of marriage, people speak of their marriage as 'poorly fixed'. If the union breaks up there is no divorce procedure and the couple merely go their own separate ways. The categorization 'poorly fixed' is not applied to all marriages in which there are no marriage [583] payments, for poverty is usually regarded as a valid excuse for not offering money or animals or for not brewing beer. It is rather poverty of character and love of promiscuity and fickleness that lead to 'poorly fixed' marriages.

581 Sometimes a marriage which begins as 'poorly fixed' lasts for some time and becomes accepted as a proper marriage. An example of this is the marriage of Rachel and Esau (p. 63). In 1946 I was told this was a 'poorly fixed' marriage and that it would not last. In 1949 opinion had changed, and as we have seen, Esau succeeded in making the legalization payment for his wife. Even if his money had been refused his position would still have been better than it was in 1946 for he had shown that he could live with Rachel for three years without an undue amount of quarrelling and she had not [583] drifted off to some other man. By making the legalization payment Esau made his rights over her more certain.

[829] People who live in 'poorly fixed' marriages are not despised for doing so, but are rather pitied for their moral inability to make a 'well fixed' marriage. They are never so sure of the support of their relatives and neighbours as they would be otherwise. A man who 586 has not made the legalization payment may be supported by his wife's relatives when she commits adultery if they think that he is a good husband and that it is she who is at fault in the matter. But if a man neglects his obligations towards his wife's parents and [606] in particular does not approach them formally at the beginning of the marriage to tell them of his desire to marry their daughter, they may turn on him if he tries to exercise rights over the woman. In court, the wife's father may look at his son-in-law, who perhaps has been his neighbour for many years, and say 'Who is this man? We do not know him'; and the court will refuse to recognize his claims.

* *Ukwati owayawaya.*

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

claims. In retrospect, when discussing an erstwhile 'poorly fixed' marriage that has broken up, people will say 'That was not a proper marriage', and 'She was just his friend'. In all the tables we have excluded 'poorly fixed' marriages from consideration.

The initiative in strengthening a 'poorly fixed' marriage lies with the man and not with the woman's relatives. If their daughter is living with a man who has not made the legalization payment they cannot bring him to court and force him to pay. If their daughter has only just passed puberty there may be grounds for an abduction suit, but if she has been married before or is considered old enough to decide for herself, her relatives are unlikely to take any action in the courts against her husband. The woman cannot be forced to return to her own people. Similarly if no bridewealth has been paid, the children cannot be forced to live in one village rather than in the other. They can be asked to do so, but they cannot be taken to court if they refuse.

All 'poorly fixed' marriages are marriages without payments, but not all marriages without payment are 'poorly fixed'. It will be seen from Table XII that no payments at all have been offered in about a third of the marriages in our sample. In some of the marriages for which there have been offers of payment, these consist only of the small present given as 'snuff-box' [1] in modern marriage. Yet these marriages are valid despite the paucity or absence of payment. Many of them have lasted for a long time and the lack of payment is almost forgotten. It would be an act of maliciousness on the part of the woman's relatives if after twenty years of happy married life they began to remind her husband that he had not yet made the legalization payment. With the increasing importance of marriage certificates on which the legalization payment is recorded, and the rise in power of the Native Authority, the position may well change in years to come. At present, most marriages without payments are more like marriages with payment than they are like the unions of men with concubines and prostitutes. The persevering inquirer may unearth the lack of payments, but in the day-to-day life of the village, as well as in many of the formal situations of marriage, this lack is not significant. In the work of the garden, in the sharing of food, on festive occasions when there is beer and dancing, there is no distinction between wives married in one way or the other. More significantly, we find instances where despite the absence of any payments, beer has been brewed for a daughter's husband and he has been invited to go through the ceremony of 'entering the wife's mother's hut'. Some marriages are solemnized in church, with the approval of the parents on both sides, without any payments being made. The rules of avoidance between a man and his wife's mother operate independently of the marriage payments, and widows are subject to the same restrictions

[1] *Mfuko, camulomo, cavulamulomo.* See above, p. 39, n. 18.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

and widows are subject to the same restrictions and wear the same signs of mourning whether or not their deceased husbands made any payments. The absence of payments does not automatically deny to a man and woman the status of husband and wife any more than the completed payments automatically ensure marital happiness.

As reflected in Table XII, the proportion of marriages in which no payments are offered has decreased in the last twelve years, ans we know from Table VIII that this is due to an increase in the number of marriages in which the legalization payment is made. It is therefore possible in future there will be a clearer division between marriage, with its legalization payment, and concubinage, with no such payment and with a completely different relationship between the sexual partners and between their respective groups of relatives. We are not in this paper concerned specifically with concubinage and prostitution, but it may at this point be useful to point out that not many women are concubines. In our sample, as set out in Table IV, there was only one concubine, a wedded woman, among 223 wedded women. From Table III, we see that there were no men at all, in our sample of 116 wedded men, living with concubines. The paramour of the concubine in our sample was resident on a nearby farm, and so did not come into the sample of men.

4. Co-operation between affines

The payments and ceremonies of marriages are isolated and memorable events. The ceremonies are public in that neighbours

Table XII. Incidence of marriage without payment, by decades

Marriage payment	Date of marriage									
	1878–87	1888–97	1898–1907	1908–17	1918–27	1928–37	1938–47	1948–9	Not known	Total
At least one payment offered	1	6	17	37	38	34	86	14	5	238
None offered ..	–	7	11	19	26	24	29	3	3	122
Ratio of marriages without offer of payment to total	0%	54%	39%	34%	41%	41%	25%	18%	—	34%
Not known if any payments offered	1	3	6	6	12	11	18	7	2	66
Grand total ..	2	16	34	62	76	69	133	24	10	426

Informants as in Table VIII

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni
Maravi FR5

see them and to a large extent participate in them, joining in the dancing and drinking, giving presents and advice to the bride, and so on. Less spectacular are the continual patterns of interaction between a man and his affines arising from his partial dependence on them and his obligations towards them as expressed in everyday life. A man must avoid his mother-in-law and help his father-in-law with garden work, and if he is living uxorilocally he may be dependent on his affines for food and housing. If they move from one village to another he moves with them.

Avoidance is most marked between a man and his wife's mother. He must not speak to her, sit near her, pass in front of or enter her hut, and he should endeavour not to meet her on the path. Above all he must never sit on her mat, for sitting on a woman's mat is regarded as symbolically equivalent to sleeping with her. To a lesser extent a man must avoid his father-in-law, but it is not considered amiss for a man to sit at one end of a verandah while his father-in-law sits at the other. They can talk to each other if necessary. A woman is comparatively free with her parents-in-law and does not avoid their hut. The formalities of relationship between a man and his parents-in-law begin when he starts to negotiate his marriage, or earlier if their daughter is betrothed to him while she is still a child. With the passage of time a man avoids his mother-in-law less, and after the ceremony of entering her hut he can sit and chat to her. Even then it is still considered shameful for him to sit on her mat.

The Ngoni regard uxorilocal residence as part of the obligation a man has towards his wife's parents. Many couples spend their whole married life virilocally and others live permanently in uxorilocal marriage, but in describing where a couple ought to live, Ngoni speak always in virilocal terms. We have seen that in the old days virilocal residence was the rule but that a man might live uxorilocally for a while at the beginning of his first marriage after paying 'snuff-box' until he paid bridewealth (p. 5). The Cewa lived uxorilocally, but it was possible for a Cewa man to make a small payment some years after marriage permitting him to take his wife to his own village. Nowadays among the Ngoni some men, but not all, begin their marriages uxorilocally. A man may do so either because he finds it more convenient, due to lack of suitable accommodation in his own village, quarrels with his kin or shortage of food, or else because he is made to do so by his parents-in-law. A parent who does not approve of his (or her) daughter's suitor may accept the young man on condition that the couple live under his eye for a while so that he can assure himself that his daughter will be well treated by her husband. Sometimes it is said that a man who has not yet made the legalization payment must live uxorilocally until he can find the money, but this is not always done and some couples whose marriages are only 'poorly fixed' live virilocally.

The proportion of couples who live virilocally varies from one village to another.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

depends as much on the compliance of the man as on the insistence of his father-in-law.

A payment [10] of about five shillings is sometimes made by a man to his wife's father enabling him to take his wife to his own village. This is made either at the beginning of the marriage or after one or two years of uxorilocal residence, but in some marriages the payment is never made at all, and in some villages even the vernacular term is unknown. In those villages where the payment is recognized there is no consensus of opinion as to the rights granted by it. Some people hold that the payment is equivalent to a year or two of uxorilocal residence, and that, therefore, the money should be offered when the marriage is arranged, so that it may be begun virilocally. They go on to say that when a man has completed his period of uxorilocal residence, he is free to take his wife to his own village without making this payment. Other people say that a man ought to remain living uxorilocally until he makes this payment, which should therefore be done a year or so after marriage, or at some time later when the man wishes to move. Where the payment is not recognized, people either say that a man ought to live uxorilocally for a while and cannot buy himself out of this obligation, or else assert that the Ngoni, unlike the Cewa, do not marry uxorilocally and that the legalization payment allows a man to take a bride to his village as soon as he chooses. There is a wide variation in the norms held, or at least expressed, on this matter and an equally wide variation in actual behaviour. Men select their course of action by reference to the total situation in which they find themselves when they marry. A man may try to enforce one rule on one son-in-law and another rule on another. I observed one extreme case in which a man allowed one of his daughters, married to a man from her own village, to move to her husband's cluster after only a few months of uxorilocal residence in his own cluster. At the same time he would not allow another daughter to move to her husband's village after four years of uxorilocal residence, despite the offer of ten shillings payment to him. He approved of the first son-in-law while disliking the second, who had failed to report to him when his daughter first became pregnant.

We have talked of the man's village and the woman's village. It is perhaps necessary to stress that what is meant by, say, the man's village is a village to which the man's ties are stronger than those of his wife. It is likely to be a village where some relative of his is living, but the relative may be his father or his mother or his father's mother or his mother's father or some more distant connexion. Sometimes a man goes to live in his first wife's village and then brings in his second wife. The second wife is then said to be living virilocally, in the village of her husband rather than in her own, although the man is himself living in his first wife's village,

[10] *Nthakula*. Cf. Barnes, op. cit. p. 229

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

that is, in uxorilocal marriage. In the man's village there are likely to be relatives of his wife already established, but it is she who is said to 'follow' her husband to the village and not he who 'follows' her, since his ties to the village, and to the cluster in the village within which they set up their household, are stronger than hers. Similarly a man may have relatives of his own living in his wife's village and yet be spoken of as living uxorilocally. If a woman's father is living in her village, he will be the focus of her husband's obligations. But if he lives a long way away and the woman has been dependent on her grandparents, or on her mother's brother, then it is they who will act towards her husband to some extent in the role of substitute parents-in-law. However, a man does not avoid his substitute mother-in-law as thoroughly as he would his wife's own mother.

The obligation on a man to help his wife's parents in their garden is expressed in two ways. Once during the marriage the man must provide a party of people to hoe for the greater part of one day in his wife's mother's garden. He must also be prepared to work in this garden from time to time when he is called upon, and his wife may work with him. While the labour given by the man and his wife is useful labour, the work done by the hoeing party is only partly useful and may do more damage than good. The procedure is that the man, or a relative of his, tells his father-in-law that he proposes to bring a party to hoe on such-and-such a day. By agreeing to this the father-in-law tacitly agrees also to provide the party with beer and presents. On the appointed day, early in the morning, the party arrives and begins work. When the father-in-law thinks the work has gone on long enough, he sends an intermediary to offer a present to the leader of the hoers. If the present is considered sufficient the party stops hoeing and returns to the father-in-law's village. If not, it continues to hoe with renewed vigour. At intervals the father-in-law sends intermediaries with higher and higher offers until at last the hoers are satisfied or exhausted and they come into the village to collect their presents and beer. As often as not the hoers try to force the father-in-law to offer a present at the limit of his resources, for example a beast, and, as the offers mount, the workers become more and more excited and their hoeing less and less useful. At the end of a day, with the light failing, physically exhausted hoers begin to root up the maize with the weeds, and the mother-in-law's garden may be seriously damaged. If the father-in-law is obstinate and does not offer them what they want the hoers may spend the night sleeping out in the garden. By the next morning everyone is too tired to continue the matter further, and the party disperses.[11]

This sort of hoeing party may not facilitate the cultivation of good maize but it is of great significance to the married couple and the

[11] See Appendix III for an account of two of these parties.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

two groups of relatives. In the partial destruction of the father-in-law's crop by the man's friends, the latent hostility between the two groups is canalized into a form that is just socially acceptable. In the later stages of hoeing the men and women in the party act wildly, dance round and round anyone who tries to interfere with them and throw earth all over them. At first all contact between the father-in-law and the leader of the party is through intermediaries, and if all goes well, and there is no crisis, the father-in-law will always remain in the background. But with rising tempers the tension increases, and the father-in-law may himself go to cajole and threaten the party. When they do decide to stop and go into the village, an attempt is made to establish peaceful relations again, and the leader of the party begins to protest that they never really intended holding out for such a large present, that they knew it was getting dark and that they could not hoe at night. They settle down to drink the beer provided by the father-in-law and in the morning go back to their own village. It is significant that the man himself cannot be the leader of the party, so that he does not come into direct contact with his father-in-law. He shelters behind the party leader, so that the chances of an open breach between him and his father-in-law are lessened.

The formalized expression of hostility, which is a feature of many Ngoni ceremonials,[12] appears most clearly in marriage in the custom of the hoeing party, but is present in some other situations, as in the instruction of the bride at the gall bladder ceremony, when she is sometimes told she has a bad character, is mean and deceitful. Even the carrying of beer can be used to express hostility, as is indicated by Reuben's remark towards the end of his son-in-law's hoeing party, that he would tell his wife to brew beer and send it to his son-in-law's village, where the women bringing beer would demand a present even greater than the one demanded by the leader of the hoers.[13]

Men and women wish their daughters to bear children, and are reluctant to marry them to impotent men. Yet childbirth is hazardous, and a woman may die in labour because of her adultery or the adultery of her husband. It is important, therefore, that a woman's parents should be informed whenever she becomes pregnant, lest the woman die and her parents hear of her death without being forewarned of the danger. It is not sufficient that the woman's parents should hear from others that their daughter is pregnant. She must go to them on a special visit to tell them the news herself. This formal notification takes place every time she is pregnant, but if, when she becomes pregnant for the first time, she is living in

[12] For another example, see the installation of the headman's deputy described in Gluckman, Mitchell and Barnes, 'The village headman in British Central Africa', *Africa*, xix (1949), pp. 100-106.
[13] See Appendix III, p. 131.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

becomes her husband's *sibling* so that their marriage is then incestuous. I have recorded elsewhere[33] an instance in which a man married his son's wife's mother. His son's wife left her husband, saying that she could not sleep with her *sibling*. In court the old man was ordered to give up his new wife and on that understanding his son's wife returned to her husband. Yet when I left the area two years later the man and his son were both living with their wives, despite the order of the court.

It is quarrelling, adultery and divorce that bring together the two groups of kin to deliberate. Quarrelling is usually between man and wife and arises from their personal life together. There are very few quarrels between the two groups of kin over the custody of the children or about the handing over or return of marriage payments. The custody of children is determined in theory by the payment of bridewealth. In practice a child stays with its mother until it is weaned and may then be sent to a grandparent. Here there is no argument, even in theory, that all the children should go to one grandparent or the other depending on bridewealth. Some people say that the proper thing to do is to send the first child to the man's mother, the second to his wife's mother, the third to the man's mother, the fourth to his wife's mother, and so on. This is not carried out in practice, and a child goes to live with whichever grandparent asks for it or is conveniently situated. Some old widows run households containing up to half a dozen grandchildren, real and classificatory, and others live alone or with one grandchild although there are many grandchildren available. A married man is concerned that he should not appear to favour his own relatives at the expense of his affines, and he endeavours to see that his children go to live where they will be welcomed and well looked after. As with children, so it is with presents. If he returns from work and gives his father a shirt, it will be prudent the next time to give a shirt to his wife's father. It is only when the marriage has broken up that the two sets of relatives may see themselves opposed against each other, each insistent on its own rights. Even then, there is little point in quarrelling about children. A child soon becomes 'wise enough' and can choose for itself. I recorded an exceptional instance in which a man aged about twenty moved from the village of his father's father, where he had been living, to his mother's father's village on the instructions of his kinsmen, who said that as his father had not paid bridewealth for his mother, he must follow his mother's kin and not his father's. This kind of move does not often occur, and although only one marriage in twenty is accompanied by the payment of bridewealth, many people settle in their fathers' villages.

8. *Other Kinsfolk*

We have so far discussed the role of kin in a marriage in terms of

[33] See Barnes, op. cit. p. 232

589 of as being divorced from the dead man. If they do not themselves wish to be inherited they cannot be forced to remain.

587 If a widow is cared for by a younger brother of her dead husband, and that man already has a wife of his own, the widow is regarded as inferior in status to the man's own wife. Yet any children she 851 has by him count as if they were children by the dead husband, and 428 as such they inherit his cattle and offices before the brother's children 554 by his own wife. This apparent paradox is due to the nature of Ngoni seniority. Seniority was always associated with position in a definite segment in the old residential system. The widow belongs to the segment of her dead husband, and even today if she is a queen she ought to stay there after she has been given a pro-husband. If she moves to live in proximity to her pro-husband, she comes into the ranking system of which the pro-huband's great wife is the superior. Her children are, however, still associated with the segment from whence she came.

587 The new husband, whether he is a kinsman of the dead man or not, pays one goat, also known as 'snuff-box', on taking the woman, 583 and this animal she keeps herself, and does not hand on to her father or brother. If no bridewealth was paid by the first husband, the 851 children borne to the second take the descent name of their own father and his rights in the marriage are the same as if he were marrying the woman for the first time and had made the legalization payment.

589 There is then an opportunity for the marriage to continue after the death of the man if his wife and his kinsmen are both agreeable. If the widow wishes to go her own way, she can do so, and if his kinsmen do not wish to care for her, they need not. Even if they do not like the woman they cannot turn her out of the village, and she can go on living in her dead husband's hut and cultivating the same garden as before. She may even re-marry and bring in her new husband to live with her in her dead spouse's village. The extent to which this can be done without quarrelling depends very much on the personalities of the people involved. If the widow decides to go back to her own village, her husband's kin may try to prevent her removing possessions of which the ownership is not certain, and she should discuss with them how much of the crops she can take away from her garden.

587 Nowadays the death of a wife brings the marriage to an end. We have seen that in the old days the dead woman was replaced by a linked co-wife, and that this institution has now all but disappeared. There is no other form of sororate, and although a man may sometimes in jest address his wife's sister as *wife*, he has no rights over her.

593 The specific responsibilities of brothers towards a man's marriage are demonstrated in the role of the elder brother as a marriage negotiator and of the younger brother as potential husbands for a man's widows. A man would not, save in exceptional circumstances,

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

848

to a farm to work and while there had a child by a man working on the farm. When Laban returned from Southern Rhodesia people said to him, 'You have a bad wife, she has borne a child by a man while you have been away.' Laban said 'It does not matter, I love my wife and I will look after the child.'

The rights of children born in adultery to inherit their pater's property on his death are never certain. If there is enmity between them and the true sons of their pater, they may be denied any assistance from the estate of the dead man.

593 583 A man acquires rights *in genetricem* in his wife,[25] that is, rights in her as a mother, by the payment of bridewealth. We have seen that bridewealth is not often paid and that the rights exercised by a man over his children by virtue of this payment are ill defined.[26] Ngoni argue that in theory when a woman marries, the marriage payments should be paid to her mother's brother and not to her father if he has not paid bridewealth for her mother. Rights in a woman *in genetricem* are held to include the right to the marriage payments of the woman's daughters. In practice this aspect of rights *in genetricem* is as ill defined as rights to determine where children shall live. If a girl is living in the same village as her father or even her mother's husband, the fact that he may not have paid bridewealth is overlooked when the time comes for the girl to marry. Her suitor does not inquire into the affairs of her relatives before he marries her and indeed if her parents are divorced or dead he may never know their names. He respects his affines and does not probe into their secrets. He offers the legalization payment to whosoever appears to be responsible for his bride, her father or her mother's husband or her mother's brother or some other relative, depending on how and where she is living. At the level of the next generation, if a man treats his wife well, her relatives will not want to make trouble in the marriage by insisting on their theoretical rights when his daughters get married. If the man is prudent he gives them some of the money and they are content. On the other hand, if there is a quarrel between affines and the case is taken to court, it may be possible to establish rights *in genetricem*. The court holds that to take the legalization payment of a daughter is to exercise rights *in genetricem* in her mother. The following case concerns a man who exercised rights *in genetricem* that he did not possess.[26a]

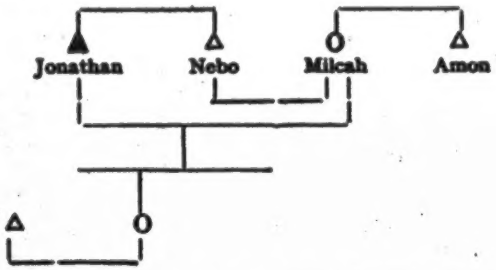
Here the award of £3 damages against Nebo is due partly to his having initiated the action for divorce without any substantial complaint against his wife, and partly because he had taken the legalization payment which should have gone to her relatives.

Cases like this are not common, and the interest of the court is more often focussed on the legalization payment than on bridewealth. The legalization payment is becoming the more important payment

[25] See below, p. 113.
[26] See above, p. 35. and Table V.
[26a] See p. 97.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

Case history 12



Nebo inherited the wife, Milcah, of his elder brother Jonathan. Neither brother paid bridewealth. One of the daughters of Jonathan and Milcah was married and the legalization payment for her taken by Nebo. In 1947 Nebo brought his wife to court to divorce her. He said that she was always committing adultery and he was afraid that one day he would kill her in anger. Milcah's brother Amon complained that Nebo had taken the legalization payment of Jonathan's daughter, and insisted that if there was a divorce custody of all Milcah's children should be given to him. This was accepted by the court, who told Nebo that if he wanted the children he must pay bridewealth. The divorce was granted and £3 damages awarded to Milcah. The payment of bridewealth was left undecided.

in marriage, and some people are beginning to confuse the rights originally transferred by it with the rights *in genetricem* associated with bridewealth. The vernacular term for the legalization payment (*cimalo*) is common to many tribes in the Eastern Province, whereas that for bridewealth (*malowolo*) is peculiar to the Ngoni. Bridewealth is not recorded on the marriage certificate whereas the legalization payment is. It is possible that while the rights *in genetricem* relating to the residence of the children of the marriage will remain indefinite and unenforceable, rights *in genetricem* relating to the acceptance of legalization payments for the daughters of the marriage will become attached to the legalization payment itself. This trend is illustrated by the following incident.

Case history 13

Simon had been married for many years and his daughter was being sought in marriage. Simon's wife's brother Nimshi came to see him to remind him that he had not yet handed over either the legalization payment or bridewealth for his wife. Simon admitted this. Nimshi said that someone would soon be offering a legalization payment for Simon's daughter. If Simon wanted to keep the money he must first offer the legalization payment in his own marriage. Simon paid Nimshi and kept the payment for his daughter.

Here Nimshi held that the legalization payment offered by Simon entitled Simon to keep the legalization payment offered for his daughter. According to traditional usage Nimshi should have insisted that Simon paid bridewealth not merely the legalization

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

593 payment. It may have been that Nimshi was merely trying to get as much as he could hope for out of Simon, who was a fierce and 583 powerful person. In view, however, of the decline in the incidence of bridewealth and the increasing importance of the legalization payment it is not unlikely that this right to the daughter's legalization payment may soon be separated from bridewealth.

428 It is at the death of a man that his children exercise their particular rights from him as against the claims of other kin. If a man has [583] paid bridewealth for his wife, then the claim of his eldest son by her to his property is clear. The eldest son by the great wife is the heir, and he takes over control of the dead man's herd, and inherits his money. For inheritance, cattle are more important than money. [454] Most men keep their money hidden in the ground, and it sometimes happens that a man dies without mentioning where he has put his savings, so that they are lost. Cattle are publicly-owned property, [422] in that every boy in the village knows the ownership of each beast, and they can be seen in the byre every day. Men sometimes divide their property among their sons before they die, but it is more usual for a man to give one cow to the eldest son of each wife and to leave the rest undivided. The residue then passes to his heir on his death. [583] If bridewealth has not been paid, the claim of the dead man's eldest son to the herd may be disputed by the dead man's brothers. Succession here does not seem to be determined in the light of the failure to pay bridewealth but by a consideration of residence. If a man is living in the same village as his father then he can expect to inherit his father's cattle when he dies. If he is living elsewhere, and tries to claim his inheritance, he may be opposed by his father's kinsmen resident in his father's village should he try to remove the cattle.

The eldest son inherits, but he has an obligation to help his sisters and younger brothers when they need beasts or money. If the other brothers are scattered in different villages, the herd may be divided among them, but it may be many years after the death that the division takes place. If the eldest son is in Southern Rhodesia the dead man's brothers delay the division of the herd as long as possible in case the rightful heir should return.

[425] Women acquire cattle and other animals with money they have saved or gained by selling beer, or as gifts from their husbands. [583] If no bridewealth has been paid for a woman any animals she may own pass on her death to her eldest son. If bridewealth has been paid for her the disposal of her property is uncertain. Some people argue that the animals cannot then go to her son, for her son belongs to her husband's group because of the bridewealth, and that they ought to pass to her brother's son. Others say that the animals should go to her eldest son irrespective of bridewealth. Unfortunately I did not record any specific instance of inheritance from a woman,

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

easily. Paramount Chief Mpezeni III, in a Christmas broadcast in 1948, addressed to Ngoni workers in the towns, said

> Think not that I divorce your wives merely when they come to court. I do so when I see you send no money or clothes or you stay away for more than five years, not writing or sending anything to your families. I do this when they come to see me, both she and your parents. You do no good to your families by forgetting them all when you are in a strange country.

The grounds on which divorce is granted are more or less the same in the court and the village, but although the court, like the village assembly, thinks of itself as being primarily concerned with 'teaching people to live well together', it is also, unlike the village, concerned with reinforcing the power of the Native Authority bureaucracy and upholding the authority of the chiefs. Hence the court gives greater weight to the formalities of marriage and the theoretical rights inhering in the different payments. The chiefs, councillors, assessors, clerks, and police who make up the court are all men, whereas in the village meeting old and important women give their views and they are listened to with attention. My impression is that women are less favoured in the courts than they are in the village.

The law that the legalization payment shall be not less than thirty shillings was agreed to at a meeting of chiefs and their supporters in about 1944. Informants said that the law was introduced so that women as well as men could be punished for their adultery. It was argued that in a marriage in which no bridewealth had been paid, and only a few shillings as the legalization payment, the woman's kin could not in equity be called upon to pay damages on her behalf to her husband when she committed adultery. Adultery was thought to have increased, and women were as much to blame as men. By making the legalization payment a considerable amount, equal at the time to two months wages, it became possible to punish the woman in the same way as her lover. As we have seen, not everyone keeps this law, and women are married with a smaller amount as legalization payment, or with no payment at all. It is held by some people that a marriage certificate will not be issued unless at least thirty shillings legalization payment has been handed over, but in fact it is still possible to get a certificate when some smaller sum has been paid. In the light of developments in other tribes of the Eastern Province, it seems likely that before long thirty shillings legalization payment will become necessary before a certificate can be obtained.

One copy of the certificate is given to the man and another to the woman. With the help of her certificate, and of letters from her husband showing he is calling her to join him, a woman can get a pass from the court allowing her to buy a ticket on the bus going to the railway line or to Nyasaland. These certificates have therefore considerable value, and one woman's pass may be used by another

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

varying success in their other aims. The number of people with dozens of wives has decreased to zero, but this has been due to the operation of other factors as well as pressure from the missions. Whether the incidence of polygyny as a whole, that is the ratio of monogamist to polygynist men, has decreased is difficult to assess, since genealogical information is incomplete on barren wives and the wives of men whose descendants are now scattered. The fact that only six per cent of widows are inherited is due to the general change in the nature of marriage, the decline in the incidence of bridewealth, and the changed significance of residence, as well as to Christian endeavour. In these matters the general flow of events has been on the side of the missions. The same cannot be said for premarital copulation and for the ritual of 'taking up the child'. Censure from the mission is an additional hazard to be avoided in premarital intercourse, but it has not prevented it. In their opposition to the belief in *mdulo* and the ritual intercourse which follows as a consequence of the belief, the missions are aided by the teaching of hygiene and Western science in the schools, but there is no support from indigenous values. In this matter it is difficult to establish any trend, but the way in which attitudes are changing towards traditional mystical sanctions seems to be that the operation of the sanction is still believed in, but that the techniques for counteracting the sanction have been added to, so that the powerful medicines of Western civilization, particularly the sulphonamides, can be used to counteract the machinations of sorcerers. It does not seem likely that the belief in *mdulo* will disappear easily.

Thus in the system of values sustaining marriage, we find that there is some inconsistency. The teaching of the missions, the values associated with the old Ngoni way of life, and those deriving from the matrilineal tribes of the region conflict with one another on some points and support each other at others. The situations of the present day provide for considerable freedom of choice within these conflicting traditions, so that in one situation a man may adhere to the mission teaching in condemning the bigamy of another man in his village, and in another situation take part in the marriage negotiations for an additional wife for his chief, in accordance with the old Ngoni system of values. A man condones the secret lovers of his unmarried daughter, but when she becomes pregnant brings them to court with the approval of the mission.

6. *The transfer of rights*

The rights transferred from one group to the other by marriage payments in the old system were clearly defined. By the payment of 'snuff-box' the man's patrilineal kin group acquired rights *in uxorem* in the woman, and by the bridewealth they acquired rights *in genetricem*.[4] If the woman committed adultery after 'snuff-box'

[4] I have taken these terms from the interesting paper by Mrs. Bohannan on 'Dahomean marriage: a revaluation', *Africa*, xix (1949), p. 278 to indicate rights in a woman as wife and as mother respectively.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

had been paid, it was her husband and not her father who initiated proceedings against her and her lover. Residence was equated with political allegience, and therefore it was inappropriate that her children should live in their father's village until he had acquired rights in them, that is until he had acquired rights *in genetricem* in his wife. These rights were transferred with the payment of bridewealth. The holder of the rights both *in uxorem* and *in genetricem* was the husband, but on his death the rights *in uxorem* passed to a junior patrilineal kinsman of the same generation while the rights *in genetricem* remained in the man's own segment. If the woman was barren, it was incumbent on those who had been recompensed for the transfer of rights *in genetricem* to provide another wife whose children occupied the position of children of the barren wife.

Nowadays the legalization payment confers rights *in uxorem* and bridewealth rights *in genetricem*. Rights *in genetricem* are inherited in the same way as before, but rights *in uxorem* do not pass automatically to a younger brother of the husband on his death. If a widow agrees to be inherited, and a younger brother willing to have her, then he acquires rights *in uxorem* over her without any further legalization payment. If, however, either no younger brother is forthcoming or the widow is unwilling, the rights revert to the woman's own group, who cannot themselves exercise them. When she takes a new husband he makes the legalization payment to them, and not to the kin of the dead husband, and thereby acquires his rights *in uxorem*. If rights *in genetricem* have already been transferred to the dead husband, the new husband can never acquire them. If at the beginning of a marriage bridewealth is offered, its acceptance transfers both rights *in uxorem* and *in genetricem*.

Whereas the rights *in genetricem* were definite in the old system, in the new they are vague and of doubtful value. In the old scheme they were related to position in a residential system of which one of the generating principles was patrilineal descent and succession. With the breakdown of this system one can no longer say so clearly that a man belongs to one group of kinsmen rather than another. The lineage segment is no longer a significant group with spatial reference and a hierarchy of authority. Kinsmen, however related, who live near one another tend to help each other, visit one another, and support each other in quarrels and in visits to court. Some of the men and women who go to court in support of A will also go in support of B, while others will not. B shares certain supporters with C, and so on. The men and women who are relatives and neighbours cannot be divided into a collection of mutually exclusive groups, for membership of one man's group partly overlaps with membership of another's, and every man has, as it were, a different set of people, some of them patrilateral kin, some matrilateral, and some affines, whom he is prepared to support. There is no widely-held indigenous theory of procreation such as in other cultures provides a rationaliza-

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

tion for associating children with one parent rather than the other. There is only the one proud dogma that the Ngoni, unlike their neighbours, are a patrilineal virilocal people. This reflects the actual dominance of the virilocal mode of residence but does not furnish a rule to which appeal can be made in specific cases. The only definite unit to which a man can be said to belong is his village, and such few attempts as are made to enforce rights *in genetricem* are expressed in terms of residence in villages. In marriages that are made outside the tribe, rights *in genetricem* become significant, for a child is not likely to wander to and fro between one tribe and another hundreds of miles away in the same way as children change from one village to another within the kingdom. Here then we find more attention paid to the payment of bridewealth and to rights *in genetricem* and these rights are enforceable through the police checks on buses and lorries.

If a man is away working his interests are represented by his kinsfolk. They cannot exercise his rights *in uxorem* for him, but if they are violated they can act on his behalf. His permission is necessary, however, before they can proceed to the court, and if they are awarded damages then they are under some sort of obligation to hand over the money to him when he returns. There was no situation comparable to this in the old system, for men did not go away for years at a time, and the violation of rights *in uxorem* was punishable by death.

The position of the man as holder of rights *in uxorem* over his wife is reinforced to some extent by mystical ties believed to connect the couple, and at the same time the man can fortify his rights by the use of medicines to ensure fidelity. During pregnancy, for a short while after childbirth, and during menstruation, the actions of man and wife affect one another automatically, and each is placed in danger of illness by the failure of the other to observe their mutual obligations. To protect his rights *in uxorem* a man may doctor his wife so that possible violators may be deterred by the fear of mystical retribution as well as action in the courts.

7. *Mystical beliefs and marriage stability*

The mystical connexion believed to exist between a man and his wife serves to define their relationship more closely, for this same connexion does not hold between a woman and her husband's kin or between a man and his wife's kin. The adultery of a pregnant woman's brother-in-law, like her husband's adultery, may threaten the peace of her local group of relatives and friends, and may even lead her to change her village or go to the court as a supporter. The important distinction between the adultery of her husband's brother and her husband's adultery is that the former does not automatically endanger her delivery while the latter does. A man confesses his adultery when his own wife gives birth, not when her sister is in labour. This connexion is definite, and is not extended

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

others, the Zulu and Nuer have agnatic lineages and rare divorce, while the Lozi and Ila lack agnatic lineages and have frequent divorce. The Ngoni before 1898 appear to belong to the first type and the Ngoni of the present-day to the second. In 'the time of peace' the fertility of the married woman was transferred by the payment of bridewealth to her husband's lineage segment, and the children whom she produced were recruits to that segment. Her agnates could never claim the children for their matrilateral segment. Associated with this system were the levirate, the sororate, and the right to enforce betrothal on pain of the return of gifts. The simple legal family was a relatively stable unit, and its position within the lineage segment was determined rigidly by the ranking of co-wives. Divorce was rare and could be effected only on the initiative of the husband. By contrast the affiliation of children nowadays is not fixed, and the very groups themselves to which they would formerly have attached themselves are no longer important. The children borne by a woman, whatever marriage payments have or have not been made for her, are potential recruits to local kin groups led by a variety of different relatives. Compared with the past, the simple legal family is unstable and divorce is frequent and easy. As might be expected, the levirate and sororate and enforceable betrothal, the trappings of the old system, have declined in importance.

Gluckman also suggests that in general, marriage payments fall in value with the decreasing dominance of patrilineal descent, although he cites the Ila as a virilocal people with high marriage payments, no agnatic lineages and frequent divorce. He regards the influence of property on marriage payments as secondary, but writes: 'On this hypothesis, which needs more testing, the amount of goods transferred and the divorce rate tend to be directly associated, but both are rooted in the kinship structure. It is rare divorce which allows high marriage payment, rather than high marriage payment which prevents divorce.'[1] The Ngoni material suggests that payments, kinship structure and divorce frequency are connected and that among them, as among the Ila, frequent divorce does not preclude high payments.

We may distinguish three phases in the history of Ngoni marriage payments. Prior to 1898 bridewealth varied in amount from one to a dozen beasts, depending on the status of the woman's father. In addition, recently captured women were married, both by men of high and low status, without payment of cattle. There is no indication that divorce was any less rare in one section of the community than another. In our pre-1898 sample, as set out in Table I, only one marriage out of eighteen ended in divorce, despite the absence of payments in half the marriages. It is true that in the single instance of divorce there were no marriage payments, yet even this marriage does not suggest marital instability as we

[1] Gluckman, op. cit., pp. 192, 200.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

have been discussing it. Divorce took place because the man, a recently captured Kunda, ran away back to his former tribe leaving his wife, daughter of one of Mpezeni's lieutenants, behind in her father's village. In 'the time of peace' marriages were stable, with or without payment. The wealthy men were the politically important men, and indeed Wiese's assertion that men married off their daughters so as to gain the maximum number of cattle[1] may be based on the behaviour of socially ambitious fathers in what was largely an upward-mobile society. Political affiliation effected by marriage was ratified by a transfer of wealth appropriate to its importance in the general field of political and social relations. Divorce frequency and kinship structure were the same for rich and poor, aristocrats and captives, and were neutral factors in determining the amount of marriage payment.

The second phase began immediately after the war of 1898 and lasted until about 1930. At the beginning of this period the tribe as a whole was poorer than it has been before or since. Many cattle were looted in the war and for a long time there was little money in circulation. The majority of marriages without payment were contracted during this phase, and it seems reasonable to associate this in part with the poverty of the people. It is difficult to make any precise estimate of divorce frequency at this time, although we know that many Cewa and Nsenga women who had been married before 1898 deserted their husbands and returned home when British control was established. There does not seem to be any evidence for supposing that at this period women moved from one husband to another within the confines of the Ngoni kingdom more quickly than they do now. It is perhaps safe to say that the low level of payments was due partly to poverty but also partly to the general uncertainty about the future, about the kind of society which the White Administration was building for the Ngoni. Evans-Pritchard has stressed that 'It is morals that censure divorce and law that refuses to recognize grounds for divorce which ensure the stability of the union of husband and wife.'[2] The laws and moral code that had been enforced by the old chieftainship had been shaken by the defeat of 1898. The payment of bridewealth had defined legitimate expectations of behaviour, obligations and rights, within an organized system of social relations which had been shattered. While many Ngoni must still have regarded marriage with payment of bridewealth as morally right and desirable, they must also have been aware of the greatly increased risk they were running when making these payments, even if they had the cattle to make them. Rights *in uxorem* and *in genetricem* which were socially recognized but could not be enforced through the machinery of the State were hardly

[1] See above, p. 3, footnote 3.
[2] Evans-Pritchard, 'Social character of bride-wealth, with special reference to the Azande', *Man*, xxxiv (1934), p. 174.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

rights at all. The payment of bridewealth had in the past enabled affinally related groups of kin to 'foresee the behaviour of one another in given situations since the payments evoke the behaviour'[10] but now the given situations were unlikely to occur. We may say then in this second phase poverty and uncertainty about the overall system of social relationships within which marriages would continue caused marriage payments to be low and, in some instances, non-existent.

The gradual increase in power of the Native Authority and the contemporaneous increased participation in the money economy have brought about further changes in the third phase, beginning round about 1930. In recent years the value of the legalization payment has increased and seems likely to increase further. This change is demonstrated in Table VII, although we must recall that the time classification in this table is by year of marriage, not year of payment. Similar increases have been noted among other Eastern Province tribes, notwithstanding cultural differences between them and the Ngoni. This increase has been possible because of the rise in wages and prices, but we cannot regard this as the sole cause. This simple hypothesis is ruled out by the simultaneous fall in bridewealth, as suggested by Table VI. While wages have risen, the rights associated with bridewealth have declined in importance and those associated with the legalization payment have remained significant. A high payment gives each particular marriage the mark of stability, yet at the same time the process which enables a young man to offer as much as £10 for his bride without appealing to his kinsmen for help has also made his expectation of life-long marriage with her less than it would have been thirty years ago, when he would have offered only 6s. Men earn money in Southern Rhodesia and the Copperbelt. They move freely between urban and rural environments, using the money to make large marriage payments in the villages. They stand on their own, do not call on their senior agnates for help, marry where they will, and settle with that headman whose village most attracts them or is most conveniently situated for siting a new shop. Yet if in this way they can free themselves from prescribed affiliation to a kin group, so can their children do the same. The former structural basis for stable marriage, the invariable affiliation of children to their agnatic group, has gone. There is as yet no system of law and morals, nor sufficient interest in inheritable property, to provide an alternative means of stablizing marriage. As among the Ila, high marriage payments accompany frequent divorce.

The hypothesis that increased frequency of divorce among the Ngoni is due mainly to the breakdown of their agnatic system may be supported by comparison with the Zulu and other Natal tribes. Here the old system, characterized by strong agnatic affiliation and

[10] *Ibid*, p. 172.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

rare divorce, has survived despite loss of sovereignty, territorial dispersal, economic impoverishment, high incidence of labour migration, and frequent adultery and illegitimacy.[11] The Ngoni, subjected to similar external processes, but in addition surrounded by matrilineal peoples and themselves largely of matrilineal origin, have lost their agnatic affiliation and, with it, stable marriage.

It is difficult to see exactly where this trend will lead. The third phase, as I have characterized it, is a recent development. There does not seem to have been any sharp rise in marriage payments until the 1939-45 war. During the war many Ngoni men earned higher wages than ever before in the Army and in industry. It may have been this that was decisive in raising the level of payments. It will be remembered that the thirty shillings minimum for the legalization payment was fixed by law during the war. It may, however, be suggested that if it is hoped by raising the level of payments to achieve stability in marriage, this hope is in vain. Payments may rise if people are in a position to pay more. Higher wages permit higher marriage payments without necessitating further changes in economic life, but in fact these changes are already taking place. Money is needed for more clothes, more food, more education, as well as for higher marriage payments. Payments rise as Africans participate increasingly in the general money economy of Southern Africa. The more they participate, the less marriage is constrained by a kinship structure based on morally significant face-to-face relations between agnates. The higher payments rise the more frequent becomes divorce. This is not a long-term prognosis, for I have indicated above that affiliation is not the only possible determining factor, and it is clear that if more people align themselves with those missions which do not permit divorce, the frequency of divorce as a whole may decline. There are other possibilities, but it seems to me unlikely that any of these other social mechanisms will become effective quickly; therefore the most probable concomitant of a rise in marriage payments in the immediate future is more frequent divorce.

Thus we see that at least for the Ngoni, changes in the amount and distribution of property have had a marked effect on the level of marriage payments, and that this effect can to some extent be isolated from that due to changes in kinship structure and in divorce frequency.

10. Attempts to resist change

The major structural changes taking place in Ngoni society in the last fifty years have not come about entirely unopposed. The Administration, the missions, and the Ngoni people themselves have noticed from year to year how the old order was changing and with varying success have made attempts to control the direction of change.

[11] Cf. information from Kark cited by Gluckman, op. cit., p. 204, footnote 1

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

592 252 593 [269] mother. One of the man's sisters conducts the wife to her mother-in-law's hut, and under the instruction of the assembled women she begins to cook. Although people speak of her doing the cooking, in practice all she does is to look on while her sisters-in-law do the work. The porridge is divided onto plates and distributed under the directions of the man's mother. One plate is sent to the man's father, one to the husband who eats the porridge with his brothers, and one to the most important woman in the village, while some are taken by the cooks themselves. The man's father is expected to remark on how well the porridge has been cooked, but he may say that it has been poorly prepared and his daughter-in-law must be taught again. This expression of disapproval cannot be more than a way of showing his dislike for his daughter-in-law for whatever he says the ceremony is not repeated and the woman begins to cook regularly for her husband. If the man's relatives are wealthy, they may kill a goat or a sheep on this occasion, or the woman's parents may send a sheep or a goat to be killed and eaten. The woman's parents cannot themselves attend the ceremony.

[291] If the couple begin their marriage uxorilocally this ceremony does not take place. The bride begins to cook for her husband as soon as he comes to live with her, using her grand-mother's hut as a kitchen.

Appendix III

THE HOEING PARTY

606 583 A man is under an obligation to provide once during his marriage a party of hoers who work in his wife's mother's garden for the greater part of one day and who are rewarded by his wife's father. This party is called by the general word for obligations owed by a man towards his parents-in-law, *cikomwene*.[1] The function of this occasion, as a socially sanctioned method of expression of hostility between a man and his affines, has already been discussed. I attended one of these parties and my clerk attended two others.

The man, or a relative of his, tells his father that he is planning to bring a party to hoe on such and such a day. If the father-in-law agrees that the day is suitable he tells his wife to brew beer for the hoers. On the agreed day the hoeing party arrive early in the morning and begin to work in the garden. The father-in-law promises presents to the leader of the hoers, who continue to hoe until they are offered what they consider is sufficient. They then stop, and go to the village to receive the present and drink beer.

[1] See above, p. 74.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

One day in December 1946 a party of eight men and two women arrived at 6.30 a.m. in the garden of Dinah.[2] They included Goliath, a young man recently married to a daughter of Dinah and Reuben. The party was led by one of the women. They hoed in the garden continuously but not very actively until 3 p.m. Reuben then asked Samuel, who lived in the village, to offer sixpence to the hoers. This offer was refused, and a little later Samuel came back again with the offer of a shilling. This was also refused, as was the next offer brought by Samuel, of ten shillings and sixpence. One of the hoers hinted to Samuel that they really wanted a beast. Samuel returned to the village and asked Bildah, his wife's mother and the village headman's eldest sister, to go and repeat the offer, lest Reuben should think that it was Samuel who was egging on the hoers. Bildah went with a number of people from the village and on seeing her the hoers began working frantically. They ceased to distinguish between maize and weeds and uprooted both. The hoers attacked Deborah, daughter of Dinah by a former husband, who tried to stop them, by throwing earth over her and hoeing round her as if she were a mound. One of the hoers tried to borrow my lamp so that they could continue working through the night. The people who had come from the village withdrew, followed by taunts from the hoers, 'You will find us here in the morning.' It began to get dark and at 7 p.m. when it was quite dark Reuben himself came out to speak to the hoers. He told the leader that if she insisted on a beast, he would give it them, but that he would also tell his wife to start brewing beer the next day; when his party brought the beer to their village, they would demand an even bigger present before they would go home. These remarks were met with derision and the hoers called for beer and cigarettes to sustain them through the night.

About half an hour later, the hoeing party appeared in the village and entered the hut of Goliath, who was living uxorilocally at the time. The leader of the party was called to Reuben's hut. On the verandah the money was counted out and handed over to her. She then said that they had never intended to demand a beast but had been only pretending. In Goliath's hut drinking began with beer provided by Dinah. Soon an argument broke out, some of the hoers protesting that they ought to have kept on hoeing until Reuben had given them a certain beast he was keeping in Goliath's own village.

In December 1947, in a nearby village, a man agreed that his son-in-law should bring a party to hoe, but did not brew any beer for the occasion. He offered them seven shillings and sixpence, but this was refused. He then offered the same amount again, and this was accepted, but the leader of the party said that they would go on hoeing until something else was added to the present. They went on hoeing all night long, sleeping at intervals. Both

[2] See above, p. 81, for the genealogical connexions of this group of people.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

606 583 offers had been made to the leader of the party through the mother-in-law acting as intermediary for her husband. In the morning the mother-in-law came to the garden to find the hoers still there. She fell to the ground beseeching them to stop. The leader then told the party to stop, which they did with much grumbling. One hoer said 'It would have been better if we had cut down some more maize to cool down our hearts.'

Appendix IV

CARRYING BEER

606 431 273 The carrying of beer is the first formal occasion on which the initiative is taken by the woman's kin and not by the man's. Beer is brewed by the woman's mother and is taken to the husband's father, or if he is not available, to the husband himself. It is known as *vipeko*, a word used to describe any offering of beer sent to a chief or headman in virtue of his position as such as well as beer sent to a a son-in-law. Beer can and is sent in this way more than once, to indicate the continued respect enjoyed by the man in the eyes of his parents-in-law. Members of the Dutch Reformed Church who are not allowed to drink proper beer send instead gifts of porridge to their sons-in-law. The beer, or its porridge equivalent, is sent at least once in about 40 per cent of all marriages. It is usually brewed while the couple are living virilocally.

It is held by some that a man cannot expect beer sent to him until he has made the legalization payment for his wife. In practice, if the woman's parents think that he is treating his wife well, they may brew beer for him despite the absence of legalization payment.

The beer is brewed by the woman's mother, and is carried in jars from one village to another. If the villages are too far apart to make this practicable, the woman's mother comes to stay with some relative in a nearby village and does her brewing there. She herself does not accompany the party carrying the beer.

The party may consist of, say, half-a-dozen women from the village. They carry the beer to the man's village, and halt just outside the village. Sometimes they demand a present before they will agree to enter the village. They are led to the hut of the man's parents or of his grandmother, and there they offer the beer to the man's relatives. They are given somewhere to sleep the night. In the morning people come to greet them, and as in the gall bladder ceremony they reply with a little song. The pots of beer are allocated by the man's father to important people in the village. People who come to drink the beer give presents such as threepenny bits which are collected by the leader of the party and which are

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni

distributed among the women of the party as a recompense for carrying the beer. The married couple drink the beer but do not take any prominent part in the proceedings. The next day the man's father gives a beast or a goat or money to the leader of the party. The animal is killed and the women carry the meat back to their own village where it is divided up by some important relative of the wife. If some of the sprouted maize and flour that were prepared for the brewing remain over, the mother-in-law may brew again, and send it to her son-in-law as before. The second brew of beer is called 'offering'.[1]

Appendix V

ENTERING THE WIFE'S MOTHER'S HUT

As performed nowadays elements are combined from what formerly were two distinct ceremonies. The name of one of these, 'eating together' (*mzyelano*) is now not often heard and the combined ceremony is known by the name of the other, 'entering' (*mngeniso*). It represents the final stage in the acceptance of the man as a satisfactory son-in-law and marks the formal setting aside of the avoidance relationship between him and his wife's mother. It is performed in about one marriage in eight. I attended two of these ceremonies.

Some informants say that like the carrying of beer the ceremony of entering is not performed unless the legalization payment is made. However, I have recorded instances in which the ceremony was performed in the absence of any payment. It almost always occurs after beer has been carried to the man's village once or twice and when the man is living virilocally.

The parents of the woman send word to the village of the man that on such and such a day there will be beer brewed for him to enter the hut of his mother-in-law. On the day appointed the man and his wife go in procession with other people, singing and dancing, from their village to the village of the woman's parents. The procession traditionally should be led by the eldest child of the marriage, boy or girl, holding a club aloft, but this is not always done. The man's parents do not go with the party but stay behind in the village. On the outskirts of the woman's parents' village, the party may be met by people dancing out to meet them, and they sometimes pause to drink beer brought out to them. The dancing party go on into the cattle byre, or if there is no byre to some clear space on the fringe of the village. They enter the byre in a rough

[1] *Nsembe*, an Nsenga word.

7: Hodgson G-5 (1926) 1933 FR5 Ngoni FR5

10. *Forbidden and Enjoined Unions* (*Ngoni*).

The Angoni are patrilineal, and in the case of a mixed Ngoni-Chewa marriage the child always takes the clan (*vide infra*, Section IV) of the father, whether bride-price has been paid or not. The children of brother and sister may marry each other, but not the children of two brothers or half-brothers, nor the children of two sisters or half-sisters. As with the Achewa, so also with the Angoni it is no longer considered incestuous to marry someone of the same clan.

11. *Forms of Marriage* (*Ngoni*).

When an Mngoni wishes to marry, he sends a male friend without a gift to inform the girl's father of his desire. The father calls his wife, male relations and headman to discuss the matter; and, if they agree to the proposal, the friend returns with the news to the prospective bridegroom who, several days later, despatches his *anKhoswe* with a present to the *anKhoswe* of the girl. There are always two *anKhoswe* on each side, neither more nor less. A father is ineligible; and brothers, sister's sons and fellow-villagers are generally chosen, as they are more likely to be at hand if required at any time. The present is only symbolic, and generally takes the form of a goat, though in the case of a wealthy bridegroom it may be a cow or something equally substantial. This part of the procedure is known as *ku-onga*, and as soon as the present has been received by the bride's father, the marriage is valid in law.

A few days later, the groom sends a friend to conduct the girl to his house. She comes with several elder women and other girl friends, but her mother may not join the party. The bridegroom provides for them a feast of beer and meat in commensuration with his wealth. He presents beads to his wife, this ceremony being known as *ku-tewlera*, and sends a cloth (known as *nchelu*) to her mother, after which the women return home on the same day without consummation having been effected.

About a week later, accompanied by a small boy, the man proceeds by night to his father-in-law's house, and is given an empty house, where he sleeps with his wife. He must avoid being seen by any of the villagers, and therefore departs before daylight, going to a neighbouring village for food and rest, and returning on the following night, when the same precautions must be observed.

On the second morning he goes back to his village, and after two or three weeks sends a friend to fetch his wife. This time she comes openly, and sleeps with him for two or three nights in any available hut, after which she returns to her father.

The husband then begins to build her house at his village, and to pay the bride-price. This process is known as *kulowola*, or *kupereka mabeka*. The *mabeka*, or bride-price, may consist of cows, or cash, or other goods; and it varies in value according to the standing of the parties. If the bride is fully grown, payment should be completed within four or five months. Nowadays, however, Ngoni girls are generally married shortly before they reach the age of puberty, and in such cases a year or two may be allowed; but when the husband is unnecessarily dilatory, his father-in-law may oblige him to build a house near his own and to live there until he has fulfilled his contract; and until the bride-price has been paid in full, he cannot expect his wife to reside with him permanently at his own village.

7: Hodgson G-5 (1926) 1933 FR5 Ngoni FR5
Maravi FR4

12. *Customary Licence* (*Ngoni*).

N 836 [183] [684] [583] Pre-marital intercourse was strictly forbidden, but it is now the general practice, though disapproved of by the elders. While rarely claimed, it is still possible for a father to obtain damages from a man who is proved to have had connexion with his young unmarried daughter; and the bride-price is reduced when it is known that a girl has been playing fast and loose as a regular habit.

13. *Dissolution of Marriage* (*Ngoni*).

N 586 [595] Connubial disputes are decided at the husband's village. A wife may not be divorced on account of barrenness; but in such a case her father gives the husband a younger sister without further *mobeka*, or arranges with a friend or relation to give his daughter in return for a smaller bride-price.

When a divorce has been granted, it is made effective by the husband's *nakhoswe* taking the wife home and handing her back to her father. If there are no children, the bride-price is returned, together with the *mobeka*, *kutenderu* and other presents made before marriage. Presents made by husband to wife after marriage are considered to be the woman's own property, and she takes them with her. If there are several children, the husband keeps them, and his father-in-law retains the bride-price. If there is only one child, and the bride-price was large, the husband keeps the child and also receives back a portion of the bride-price, the guiding principle being a fair division. When the father is absent and is entitled to the children, his relations take charge of them. But even though the father may be given legal ownership, neither Angoni nor Achewa ever take small children away from their mother, with whom they must remain "until they are able to understand," the father being allowed meanwhile to visit them from time to time.

M [586]

III.—Domestic Life: Filial.

1. *Infancy*.

M 845 Among the Achewa, twins were never killed. After being washed in medicine, they were taken with a present of a goat to the chief, who thereupon gave them their names. Until that was done, the chief could not visit their village. At night one twin sleeps on each side of the mother, who lies on her back. If one of them dies young, it is buried with a fruit of the "sausage tree" (*Kigelia pinnata*), so that it may not be lonely. Formerly, twin girls married the same man at the same time, and twin brothers married their first wives at the same time. [582]

M 429 Guardianship of a child is always vested in the father until initiation, when it passes to the *mtsibweni*, and on his death to the mother's other brothers, and then to the mother's sons.

N 429 593 Among the Angoni, the father is always guardian, with the modification that after marriage a girl must obey her husband before all others. When the father is dead, the father's brothers succeed according to age, then the father's sons in order, and then the sons of the father's brothers in their order.

8: Barnes E-5 (1946-1949) 1951 FR5 Ngoni FR5

181 that the defeat of 1898 is important. Although they claim to have conquered
186 all their African neighbours, Ngoni do not claim success over the British.
Instead, defeat at the hands of the British is cited in explanation of every
648 present-day failure and of every departure from traditional practice. Ngoni
186 say, "If we had not been defeated we would not have lost our land and we would not now go hungry"; and "If we had not been defeated the tribes would not have been mixed up and we could follow our customs properly", [929] and so on. In the past, captives taken by the Ngoni were rapidly indoctrinated with Ngoni ways and themselves became proud Ngoni; Ngoni complain that now, although captured by Europeans, they never become Europeans.

538 The general legends of the past from which these notions are derived are
814 common knowledge. In the main they are passed on orally and are maintained by the teaching of tribal history in schools, the appeals to old military traditions, when recruiting for the Northern Rhodesia Regiment, the conversations of planters comparing one tribe with another as labourers, by the reports of administrators and by the writings of ethnologists.

643 The link between the Ngoni of today and their illustrious forebears is also
183 symbolized in the office of the Paramount Chief. He bears the name of his [551] warrior great-grandfather, and the formal aspects of his relationship to his people are explained by reference to his ancestors' achievements. He cannot attend funerals or take part in some of his own marriage ceremonies because "he has already conquered all others"; he cannot be expected to walk through the bush with the District Officer because "he has already conquered the whole world". He basks in his great-grandfather's invincibility, for in this context the defeat of 1898 is forgotten. The relationship between the Paramount Chief and his eleven minor chiefs is partly determined by the distribution of power in different branches of the royal lineage before the European conquest, and the division of the country into these minor chiefdoms is a visible reminder of that distribution.

829 Associated with these tales of military exploits and royal power are myths
178 about former customs. Ngoni say that in the old days they used to hunt, or marry, or build villages, in a particular way and that now they do differently. Frequently when I asked what happened in such-and-such a situation I would be told what my informant thought would have happened before 1898 rather [583] than what he had seen happen now. Thus if we ask what payments do Ngoni make in marriage we are told that there are two payments, "snuff-box" and bridewealth, consisting of one or more beasts. Further inquiry reveals that these payments are now made only infrequently and that the period referred to is before 1898. More detailed investigation suggests that in many pre-1898 marriages they were not made and that when they were made they did not always consist of beasts. Ngoni do not deny these facts but they do deny their relevance. To them the distinctively Ngoni way of marrying is with these two payments, and it is this process alone which merits the vernacular adjective—*cingoni*. They regret that people no longer marry in this way and

10: Barnes E-5 (1946-1949) 1959
FR5 Ngoni FR5
Mpezeni

241 273 476 [465] those who have not been working. Some people choose to do their work in the garden on the day previous to the party, on the theory that working and drinking do not go together. A few people offer baskets of ground-nuts or other crops or meat in return for a day's labour, and monetary payments are also known.

Craftsmen

463 323 [462] There are a number of specialized occupations which give rise to inter-village trading. Pots are made by women. Some villages have no potter and their inhabitants are dependent on pot-makers in neighbouring villages. Sometimes a woman may acquire a reputation for pot-making sufficiently high to attract custom even from villages where there are already pot-makers. Pots are sold in return for their own volume of maize, or for money, or the customers may be required to provide sufficient clay for twice the amount of pottery that they wish to obtain.

285 [462] Basketry is a man's craft, and at the end of the rainy season, when it is necessary to watch all day in the gardens for monkeys, men with this skill spend their time at it. Baskets are sold for money or for maize, and, as with pottery, there is a certain amount of inter-village sale.

759 [648] Herbalists draw their clients from a wider area than do the pot- and basket-makers, and their contacts with their patients are more intense. If a man falls sick, the remedies known in the family are tried first, but if these are unsuccessful he may go to someone who is known for his wide knowledge of medicines. Patients will travel up to 15 miles or so to consult a herbalist, who may require them to live in his village to receive treatment. Payment for medical treatment is sometimes demanded part in advance, but other practitioners ask for a fee only when a cure has been effected. Since the establishment of medical services by the Administration the way has been open for the medical orderlies to operate in opposition to the herbalists, using misappropriated European drugs.

III. THE FAMILY

Principles of Descent

611 [591] [583] [184] The Ngoni are traditionally a patrilineal patrilocal people paying bride-wealth with cattle. This tradition is reflected in modern practice only to a limited extent. Many of the men and women who were incorporated after Zwangendaba had crossed the Zambezi came from

10: Barnes E-5 (1946-1949) 1959
FR5 Ngoni FR5
Mpezeni

said to be due to their definite knowledge of common patrilineal descent rather than due to the common name. At the other extreme are names such as *tembo*, *lungu*, and *phiri*, which are derived from the neighbouring tribes of the region and are very common and have no connotation of exogamy.

Prior to the arrival of the Ngoni descent-names were inherited in the matrilineal line by the Cewa, Nsenga, and other tribes of the Eastern Province. Under Ngoni influence, the rule was reversed and the great majority even of recently incorporated Ngoni now bear the same names as their fathers. Some people do take the descent-names of their mother, as, for example, a child born in adultery who is not accepted by its mother's husband, or one whose father dies young so that it is brought up by a relative of its mother. As with the Tonga of Mazabuka, some descent-names have locally alternative forms, and in one instance men and women take different names.[1]

Appeal is sometimes made for protection and help on the basis of a common descent-name, but this is not a very strong tie and is invoked only when no closer link can be found. The principal uses of descent-names are in polite forms of address and in connexion with beer-drinking.

Marriage Payments

The initiative in choosing a spouse usually lies with the man. A woman who takes too much initiative in this matter is regarded, usually correctly, as likely to be unfaithful. In the old days marriages were more frequently arranged by the parents of the couple concerned, but now this happens only when the man is away. Men who are on the farms or in the mines send money home to brothers or fathers with instructions to find them suitable wives, and to offer the money as the legalization payment. During the 1939–45 War this arrangement was continued by soldiers who were away.

The most important payment in connexion with marriage is that made by the bridegroom to the bride's father which I shall call the legalization payment.[2] This payment is the one that establishes unequivocally the right of the husband to damages should his wife commit adultery or be allowed by the court to divorce him. It must be observed, however, that damages may still be awarded to the husband under certain conditions where no legalization payment has

[1] The name *mulo* for a man becomes *mwulo* for a woman in certain areas.

[2] *Cimalo*, no plural. Cf. Young, *Customs and Folk Lore*, p. 61.

10: Barnes E-5 (1946-1949) 1959
FR5 Ngoni FR5
Mpezeni

583 [671] been made. It is the legalization payment that is recorded on the marriage registration certificate when one is issued.

Often this payment is postponed until some years after marriage and sometimes it is never made at all. It is generally £1. 10*s*., and is normally provided by the bridegroom himself out of his savings, although in the old days a man would have been helped by his father. The money goes to the bride's father, and there is no legal obligation on him to share the money with his relatives, although he may do so. Marriage ties can be reinforced by a whole series of ceremonies and ceremonial exchanges and payments between the man's people and the woman's people, and a marriage in which all these ceremonies have been performed is regarded as being 'well fixed'. In such a marriage the parents and siblings of the couple have come to know each other, have collaborated in ritual activities, and have probably had occasion to deliberate together as a court of conciliation in settling quarrels between the couple. This line of development is seldom taken in a marriage in which the legalization payment has not been made. If the husband refuses to pay, then the wife's people will not brew beer for him and his parents, and will not use their influence with his wife to maintain the marriage. We may say that in a well-fixed marriage the two families are linked together, and that in one that is not well fixed it is only the two individuals who are linked. Indeed when no payments have been made it is common for the bride's relatives to profess ignorance of the name of the husband, or at least of his parents' names. No action can be taken in the court to enforce marriage payments, although in an adultery or divorce case the court may order the legalization payment to be made.

585 476 578 The ceremonies of marriage should not be thought of merely as occasions for harmonious co-operation. They may also become the vehicle for the expression of aggression between the two families involved. This is particularly true of the obligation on the man to bring a party of his friends to hoe in the garden of his father-in-law. The hoeing party may do more harm than good to the crops if the present offered them by the father-in-law is considered inadequate.

583 178 [231] Prior to the conquest of the tribe the principal marriage payment was bride-wealth,[1] consisting of so many head of cattle. In those days, according to informants, no legalization payment was made. Nowadays bride-wealth is paid only in a small proportion of marriages, and rarely until after several children have been born. In the old days

[1] *Malobolo*. Cf. the Zulu verb *uku-lobola* and noun *ilobolo*.

10: Barnes E-5 (1946-1949) 1959
FR5 Ngoni FR5
Mpezeni

marriages in which bride-wealth was paid were patrilocal, and those in which it was not paid, except for marriages with slave wives, were matrilocal. The matrilocal marriages were made only by recently incorporated Ngoni. The payment of bride-wealth is now significant only in relation to the residence and affiliation of the children of the marriage and does not affect the residence of the couple themselves. It frequently happens that a man goes and lives in the village of his wife when they are first married and that after a year or so he takes her back to his own village. This practice is fairly common among the matrilineal tribes of the region. A small payment[1] of five shillings or so may be made instead to enable a man to take his bride to his own village without first completing a period of matrilocal residence. Sometimes the legalization payment is considered sufficient to exempt from matrilocal residence. Indeed it is indicative of the wide range of variation in the different payments made and not made and in the significance attached to them that some informants were unable to state with certainty what payments had been made in their own marriages, although they knew the amount of money or animals that had been handed over.

This wide range of variation in behaviour in relation to marriage is one instance of the high measure of cultural heterogeneity of the Fort Jameson Ngoni. While present-day conditions are relevant to a study of Ngoni marriage, at the same time the effect of the combination of people with very different conceptions of marriage into a single state must not be overlooked. Among families that are powerful and claim to have migrated with Zwangendaba from the south, patrilocal marriage and the payment of bride-wealth are more frequent than they are among families of more recent incorporation. Cross-cousin marriage is noticeably more frequent in villages with people of Bisa descent than in the population as a whole. In Nyasaland, where there is a sharper cleavage into old Ngoni villages and conquered Cewa villages, the old Ngoni are characterized by a greater, and the Cewa by a lesser, incidence of patrilocal marriage.

Divorce

In the old days there was no way in which a woman could divorce her husband. A man could divorce his wife at any time by sending her back to her own people. The usual procedure nowadays, except in cases of adultery, is for the man to give his wife sixpence or a shilling

[1] *Ntakula.*

10: Barnes E-5 (1946-1949) 1959
FR5 Ngoni FR5
Mpezeni
Yao FT7

N Y 648 691

The Yao are mistrusted more than any other tribe, and some of the decisions taken by the courts are harsh on Yao. For example, a Yao man who was married to an Ngoni woman had, it was alleged, caught venereal disease from his wife. His wife then applied to the courts for a divorce, which was granted, together with the custody of the children. No bride-wealth had been paid in the marriage, but the husband now offered to pay in order to retain the children. This bride-wealth was refused by the woman's parents. The Yao appealed, but the judgement was upheld, and in addition he was ordered to go back to Nyasaland at once. He asked for permission to return to the woman's village in order to collect his belongings, and this was granted by the court, after first securing agreement between the couple as to the extent of his possessions, to wit, four plates and two beds. This deportation order was made despite the fact that the Yao had been living with his wife for twenty-one years. If a man of some other tribe had been involved, it is unlikely that he would have been ordered to leave the country, nor would the court have been so suspicious of his trying to take away more than his rightful share of the household possessions.

N Y 648 583

A Yao, who had a good job in Fort Jameson, once offered 30*s.* to the Paramount Chief when he was in the town as the legalization payment for a woman of the royal lineage whom he wished to marry. The Paramount Chief refused the money on the ground that the man was a Yao and he was not going to permit Yao to marry into the royal lineage, despite the protest of one of his lieutenants that the Yao was just a man like anyone else.

N 186 609 N Y 648

The reason that is given for this dislike of Yao is that they are sexually very virile, due to the medicines that they possess for increasing potency. It is perhaps significant that the same is said of Indians, who are also disliked. The Yao are known among the Ngoni for their great knowledge of medicines of all kinds, and the allegation of unnatural sexual vigour may be a rationalization of the fear that the Yao may practise sorcery among the families into which they marry. Another factor that may operate is that the Yao are the only tribe in the region that the Ngoni cannot claim to have conquered.

Political Relations with Other Tribes

N 648 721

Before the European conquest relations between the Ngoni and other tribes were principally those of raiders and raided. The great season for raiding was after the harvest, when the surrounding tribes

11:Lancaster G-5 (ca. 1935) 1937 FR5 Ngoni FR5

(8) Mguzhulu Mphanza; one of the indunas of the Ziolomba Regiment. Crossed over the Zambesi in 1835. No further particulars known. 159 173

(9) Ntabeni Kumalo: half brother of Zongendaba. Father, Hlatshwayo: mother, unknown; wife, Uthuvi. Regiment, Ziolomba. Died and was buried in Ufipa Country in 1846. [701]

(10) Mafu Kumalo; elder brother of Hlatshwayo. Father, Mangangati. Killed in action prior to arrival at the Zambesi.

(11) Hlatshwayo Kumalo, the son of Mangangati of the Kumalo clan; married Mquamache Nzima. He had three brothers, Mafu, Gumete and Mphange. He was the father of Zongendaba, Ntabeni, Somfula, Mgai and Lomapela. [614]

I have been unable to ascertain if he took part in the Great Migration. My information leads me to the conclusion that he was dead before Tshaka vanquished the Ama-Ndwandwe.

(12) Mtwalu Jere: born before the Crossing of the Zambesi, about 1833? Father, Zongendaba; mother, Nqutu Nzima; wife, Magodise; sons, Amon Jere, and Yohane Jere. Regiment, Manyoka Masoko. Refused the chieftainship because he stated that his father's, Chief Zongendaba's, last wishes had not been carried out. There is no truth in the statement that he was unfitted to hold the chieftainship through physical defects. Died in Nyasaland (Angoni Land), 1890. [643]

(13) Mombera Jere (Mbelwa); born at Chulu on the way to Fipa, 1840. Mother, Umnene Nzima, a Swazi; father, Zongendaba: half-sister, Mphangela; blood sister, Lomagazi, who it is stated by some was born before the Zambesi was crossed; son, Chimtunga, whose mother was cast off because of adultery. Chimtunga's appointment was not recognised by his grandfather's indunas. Died in 1891, Angoni Land, Nyasaland. [684] [643]

(14) Mperembe Jere. Not born north side of the Zambesi River; it is stated his mother did not cross the Zambesi in 1835. 159 173

Mperembe went into the Awemba Country after the break up of the tribe, but appears to have crossed back eastwards over the Loangwa River and joined Mombera and Mtwalu about 1868/9, after being badly beaten by the Chitimukulu. 643

It is known in the Mpezeni country that he captured Chanda mukulu, sister of Chitimukulu, whom he brought back with him and married at Mtelela village near the Mulowi River, that he had one son by her named Chinombo, and that after the Ngoni rebellion Chanda mukulu was returned to her own country; she resided on the Mackera River for some years. She had slits in her ears so large that one could put one's hand through them. [583] [304]

My informant, Sayeye Phiri, who was born at Kasitu, was caught by Mombera's people at Kanyenda, Kotakota, and made a slave; she knew Mombera and Chanda mukulu well. She is well over seventy and resides in the Fort Jameson Location. Mperembe Jere appears to have been a disgruntled and bloodthirsty despot and to have had no interests other than bloodthirsty raids and the joys of his harem. He [115] [567] [152]

/4 cont'd/

national basis to include all the adolescent males in the tribe, whatever their origin. Women were grouped into corresponding regiments. This system broke down after the first World War, when so many young men went away in the fighting. To-day the great exodus is not to war but to work, to the mines of Southern Rhodesia and elsewhere, and the incidence of labour migration is so high that it is not unknown to find a village in which there is no adult male resident. Part of the exodus is seasonal, and many men and women, as well as children, find employment on the tobacco farms of the district and in Fort Jameson Township.

II

The staple crop is maize, of which enough is grown to provide in good years for a small surplus for sale to the tobacco farms and the Administration. Tobacco is not grown by Africans for sale, except within the villages, but vegetables and a little rice and finger millet are sold to Europeans. Cattle are kept in the fly-free areas, and play an important but diminishing part in social life as the means of paying bridewealth, but the sale of cattle is not at present a regular affair. Their principal use is as a form of capital investment that can be called up to meet damages and fines awarded by the Courts.

The population of the tribe is about 60,000, the majority living in the Ngoni and Msandile Reserves, both near to Fort /5/ Jameson. The remainder live on the tobacco farms or in Fort Jameson Township. Villages vary in size from settlements of three or four huts to large clusters containing up to 500 people. The average size of a village is about thirty huts with a population of 100.

The Ngoni conquerors reckoned descent in the male line, while most of the people whom they conquered and with whom they married traced descent through the mother. To-day for practical purposes, descent is omnilateral, in that any connection through a male or female ancestor can be made use of as the occasion demands.

13:Fraser M-5 (ca. 1890) 1901
FR5 Ngoni FR5

condition. It helped to maintain the comparatively high morality of the people. And it was never allowed to go to the extremes that the Tonga or others went to when a single chief would have 100 wives. The expensiveness of marriage put a limit on a man's matrimonial ambitions. Yet polygamy was essentially an evil custom. It was based on sensuality and on indolence. And when Christianity comes bringing industry, and self-restraint, it must disappear.

In the old days the chiefs would not allow the men to marry till they were over thirty, and the women were strong and full grown. This preserved the splendid physique of the tribe. But now the laxer customs of the Central Africans is telling on the Ngoni, and one of our hardest tasks is to absolutely refuse marriage to couples whom we think to be too young for this serious responsibility. I have a marriage service every Tuesday, at which I usually unite eight or ten couples in holy wedlock. But these have first of all to come to me that I must judge by appearance, for they cannot tell their ages, whether they have reached the stature of manhood and womanhood. Then if I am satisfied the banns are published and they are married.

But before a man has reached this stage, he must first pay his father-in-law a dowery for his daughter. The value of the dowery varies, according to the rank of the family into which he would marry. The daughter of a chief might be worth to her father as much as twenty cattle, while a slave might only receive two or three goats This also was a great restraint on early marriages, for a man could not marry until he had time to gain a little wealth, and pay for his wife.

The position of a wife of an aristocrat was one of considerable ease and dignity. She had to work certainly, but she had also a considerable following of slaves to assist her in her labours. But the position of the wives of the commoners was little better than that of slaves. When the rains came on the husband sallied out with his wives. He sat on an ant hill and snuffed, and from this exalted position directed the labours of his wives who hoed.

In this the Ngoni were less noble than their neighbours, for many of the surrounding people think it is a disgrace to send the woman to the gardens. When the harvesting came, the women went to the gardens and reaped and carried home the grain, while the husband prepared the barns. And women pounded the grain and cooked it. While the men had the pleasure of eating it.